

Date : 1.7.2022

O.A. 587/2022

(Shri Kantilal S. Shahane V/s State of Maharashtra & Ors.)

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

1. Shri A.P. Gunge, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **29.7.2022**. The case be listed for admission hearing on **29.7.2022**.
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

Date : 1.7.2022

O.A. 588/2022

(Shri Ramesh M. Chavan V/s State of Maharashtra & Ors.)

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

1. Shri Sarvesh J. Naik, learned Advocate for the applicant and Shri M.P. Gude, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **29.7.2022**. The case be listed for admission hearing on **29.7.2022**.
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

Date : 1.7.2022

O.A. 589/2022

(Shri Vijaykumar A. Naik V/s State of Maharashtra & Ors.)

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

1. Shri Sarvesh J. Naik, learned Advocate for the applicant and Shri N.U. Yadav, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **29.7.2022**. The case be listed for admission hearing on **29.7.2022**.
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

Date : 1.7.2022

O.A. 590/2022

(Shri Shivaji R. Potdar V/s State of Maharashtra & Ors.)

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

1. Shri Sarvesh J. Naik, learned Advocate for the applicant and Shri S.K. Shirse, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **29.7.2022**. The case be listed for admission hearing on **29.7.2022**.
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

Date : 1.7.2022

O.A. 591/2022

**(Shri Khaja Latifoddin Mohammad Hasnuddin V/s
State of Maharashtra & Ors.)**

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

1. Shri Sarvesh J. Naik, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **29.7.2022**. The case be listed for admission hearing on **29.7.2022**.
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

Date : 1.7.2022

O.A. 592/2022

(Shri Gangadhar S. Pentewad V/s State of Maharashtra & Ors.)

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

1. Shri Sarvesh J. Naik, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on **29.7.2022**. The case be listed for admission hearing on **29.7.2022**.
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

ORIGINAL APPLICATION NO. 490/2020

(Shri Vivek S. Sonawane Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 1.7.2022

ORAL ORDER :

Shri Vivek Pingle, learned counsel for the applicant
and Shri V.R. Bhumkar, learned Presenting Officer for the
respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 2.8.2022 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 84/2020
(Shri Chinalal M. Yawalkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 1.7.2022

ORAL ORDER :

Shri A.D. Sugdare, learned counsel for the applicant
(**absent**). Shri M.P. Gude, learned Presenting Officer for
the respondent authorities, is present.

2. The Division Bench is not available.

3. In view of leave note of learned counsel for the
applicant, S.O. to 2.8.2022 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 491/2020
(Shri Rajnikant D. Patil Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri Vivek Pingle, learned counsel for the applicant
and Shri N.U. Yadav, learned Presenting Officer for the
respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 3.8.2022 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 27/2021
(Shri Mohan G. Wadajkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 1.7.2022

ORAL ORDER :

Shri Dhananjay A. Mane, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 3.8.2022 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 28/2021
(Shri Gorakh B. Dhakane Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri Dhananjay Mane, learned counsel for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.

3. S.O. to 3.8.2022 for filing rejoinder affidavit, if any, by the applicant and for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 128/2021
(Shri Pradeep M. Thakkarwad Vs. State of Maharashtra &
Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri G.V. Mohekar, learned counsel for the applicant
and Shri D.R. Patil, learned Presenting Officer for the
respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 4.8.2022 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 208/2021
(Shri Dnyaneshwar B. Biradar Vs. State of Maharashtra &
Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. The learned Presenting Officer has tendered across the bar the affidavit in reply of respondent nos. 1 to 4. It is taken on record and copy thereof has been supplied to the learned counsel for the applicant.

3. S.O. to 5.8.2022 for filing rejoinder affidavit, if any, by the applicant and for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 246/2021
(Shri Pradeep B. Bramhane Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri S.B. Solanke, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. It reveals from the record that the affidavit in reply is not filed by the respondents despite the last chance was granted to them. Hence, list the matter for hearing on 5.8.2022.

VICE CHAIRMAN

M.A. 109/2018 IN O.A. ST. 408/2018
M.A. 110/2018 IN O.A. ST. 410/2018
M.A. 111/2018 IN O.A. ST. 412/2018
M.A. 269/2018 IN O.A. ST. 1036/2018
MA 366/2018 IN MA ST. 1591/18 IN OA ST. 1592/2018
M.A. 270/2018 IN O.A. ST. 1034/2018
M.A. 353/2020 IN O.A. ST. 1469/2020

(Shri Punjaram N. Wathore & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : 1.7.2022

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay S. Deshpande, learned counsel for the applicants in all these matters and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in all these matters, are present.

2. The Division Bench is not available.
3. S.O. to 27.7.2022 for hearing.

VICE CHAIRMAN

M.A. 417/2018 IN O.A. ST. 1785/2018
(Shri Dungal S. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 1.7.2022

ORAL ORDER :

Shri Vivek G. Pingle, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 28.7.2022 for hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 633/2012
(Shri Sachin S. Unawane & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri H.A. Joshi, learned counsel for the applicants
and Shri B.S. Deokar, learned Presenting Officer for the
respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 1.8.2022 for final hearing.

VICE CHAIRMAN

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

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri P.V. Suryawanshi, learned counsel for the applicants and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 1.8.2022 for final hearing.

VICE CHAIRMAN

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

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant, Smt. M.S. Patni, learned Presenting Officer for the respondent authorities and Shri A.C. Deshpande, learned counsel for respondent nos. 5 & 6, are present.

2. The Division Bench is not available.
3. S.O. to 2.8.2022 for final hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 201/2016
(Shri Sayyed Habib Sayyed Abdul Rahim & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

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

2. The Division Bench is not available.
3. S.O. to 2.8.2022 for final hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 233/2016
(Shri Pankaj W. Pangul Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Smt. Megha Mali, learned counsel holding for Shri S.K. Mathpati, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 3.8.2022 for final hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 248/2019
(Shri Vikram B. Mate & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : **1.7.2022**

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicants and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present. Shri S.D. Dhongde, learned counsel for respondent nos. 3 & 4 (**leave note**).

2. The Division Bench is not available.
3. S.O. to 3.8.2022 for final hearing.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 435/2019
(Shri Sadhu K. Lohar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 1.7.2022

ORAL ORDER :

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

2. The Division Bench is not available.
3. S.O. to 28.7.2022 for final hearing.

VICE CHAIRMAN

C.P. 09/2021 IN O.A. 70/2018

(Shri Dadabhau T. Parte Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 1.7.2022

ORAL ORDER :

Ms. Preeti Wankhade, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

2. The Division Bench is not available.
3. S.O. to 15.7.2022 for final hearing.

VICE CHAIRMAN

ARJ ORAL ORDERS 1.7.2022

**O.A.NOS. 457 & 462 BOTH OF 2022
(Vanita K. Panchal & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Sandeep Munde, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in both the cases, are present.

Shri G.J. Karne, learned counsel for respondent No. 4 in O.A. No. 462/2022 (**absent**).

2. Learned Chief Presenting Officer submits that during the course of the day the affidavit in reply will be filed on behalf of the respondents. Learned C.P.O. shall serve the copy of the affidavit in reply on the learned counsel for the applicant.

3. List the matter for further consideration on 12.7.2022.

VICE CHAIRMAN

**O.A.NOS. 658, 659, 660 & 661/2021
(Sayyed T. Harun & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan & Shri I.S. Thorat, learned Chief Presenting Officer and learned Presenting Officer for the respective respondents in respective cases, are present.

2. Learned Chief Presenting Officer and learned Presenting Officer have sought time for filing affidavit in reply. Time is granted by way of last chance.

3. S.O. to 3.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**O.A.NOS. 182, 184, 185, 186 & 187 ALL OF 2022
(Laxman S Misal & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Heard Shri M.S. Karad, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned counsel for the applicant submits that in all these matters the address of respondent No. 5 requires to be corrected. Leave is, therefore, sought to correct address and the prayer is made to issue notice to the said respondent on corrected address. Request is accepted.

3. Necessary correction be carried out within one week.

4. After carrying out the necessary amendment by the applicant, issue notices to the respondent No. 5 in all these cases, returnable on 3.8.2022.

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

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of

**:: - 2 - :: O.A.NOS. 182, 184, 185,
186 & 187 ALL OF 2022**

the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

9. S.O. to 3.8.2022.

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

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 36 OF 2022
(Balasaheb N. Patharkar Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

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

2. Learned Presenting Officer and learned Presenting
Officer have sought time for filing affidavit in reply. Time is
granted by way of last chance.

3. S.O. to 5.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 16 OF 2022
(Vd. Piyush K. Gandhi & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Avinash S. Deshmukh, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities and Shri M.R. Kulkarni, learned counsel for respondent Nos. 4 to 7, 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. Affidavit in reply is also filed on behalf of respondent No. 7 and the same is taken on record and copy thereof has been served on the other side.

4. S.O. to 8.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINLA APPLICATION NO. 183 OF 2022
(Ashok M. Jaybhaye & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

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

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

3. S.O. to 3.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 306 OF 2022
(P.S. Sandhu (Pujari) Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Amit A. Mukhedkar, learned counsel for the applicant and Mrs. Deepali S. Deshpande, 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 Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 17.8.2022. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 374 OF 2022
(Vijay B. Dehade Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri K.B. Jadhav, learned counsel for the applicant and Shri S.K. Shirse, 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 Nos. 1 & 3 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 17.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 386 OF 2022
(Lata D. Dehade Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri K.B. Jadhav, 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 Nos. 1 & 3 and the
same is taken on record and copy thereof has been served on
the other side.

3. S.O. to 17.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 391 OF 2022
(Akash G. Garje Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri M.S. Karad, learned counsel for the applicant and
Shri M.P. Gude, learned Presenting Officer for the respondent
authorities, are present.

2. Await service.
3. S.O. to 13.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 426 OF 2022
(Urmila S. Phule Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri B.G. Deshmukh, learned counsel for the applicant and Shri Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 18.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 428 OF 2022
(Ravi N. Khade & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri M.S. Karad, learned counsel for the applicants and
Mrs. Deepali S. Deshpande, learned Presenting Officer for the
respondent authorities, are present.

2. Await service.
3. S.O. to 13.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 429 OF 2022
(Ramesh S. Ghubade & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri M.S. Karad, learned counsel for the applicants and
Shri N.U. Yadav, learned Presenting Officer for the respondent
authorities, are present.

2. Await service.
3. S.O. to 13.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 460 OF 2022
(Ankush K. Hiwale Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri J.M. Murkute, learned counsel for the applicant and Shri B.S. Deokar, 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 Nos. 1 to 3 and the same is taken on record and copy thereof has been served on the other side.

3. S.O. to 12.7.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**O.A.NOS. 463 TO 467 ALL OF 2022
(Ramdas S. Bhalke & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri S.A. Deshmukh, learned counsel for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these cases, are present.

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

3. S.O. to 3.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 485 OF 2022
(Jaspalsingh B. Kalon Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Amit A. Mukhedkar, learned counsel for the applicant and Ms. M.S. Patni, 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 Nos. 1 & 2 and the same is taken on record and copy thereof has been served on the other side.

3. S.O.17.8.2022. Interim relief to continue till then.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**M.A.NO. 392/2019 IN O.A.ST.NO. 1257/2019
(Ramdas G. Gangadhare Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri R.P. Bhumkar, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 11.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**M.A.NO. 68/2020 IN O.A.ST.NO. 2452/2019
(Swati P. Patil Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri S.S. Thombre, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 12.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**M.A.NO. 1/2021 IN O.A.ST.NO. 1443/2020
(Ratnabai G. Gaikwad Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

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

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

3. S.O. to 10.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

M.A.NO. 29/2022 IN O.A.ST.NO. 11/2022
(Yashwant M. Kadam Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

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

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

3. S.O. to 10.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 448 OF 2019
(Anil T. Patil & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri S.D. Kotkar, learned counsel for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to 10.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 554 OF 2019
(Ashok V. Gade Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Shamsunder B. Patil, learned counsel for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities and Shri S.B. Mene, learned counsel for respondent Nos. 2 & 3, are present.

2. Learned counsel for the applicant has tendered across the bar rejoinder affidavit and the same is taken on record and copy thereof has been served on the other side.

3. List the matter for hearing on 10.8.2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 575 OF 2019
(Dr. Sachin D. Shekde & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Santosh C. Bhosale, learned counsel for the applicants and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

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

3. S.O. to 11.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**O.A.NO. 612/2019 WITH CAVEAT NO. 53/2019
(Harshal M. Nagare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : 1.7.2022

ORAL ORDER :

Shri Yogesh B. Bolkar, learned counsel for the applicants (**absent**). Shri D.R. Patil, learned Presenting Officer for the respondent authorities and Shri V.S. Bhale, learned counsel for caveator, are present.

2. Since nobody appears for the applicant, S.O. to 11.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 857 OF 2019
(Bibhishan R. Chole Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

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

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

3. S.O. to 11.8.2022.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 226 OF 2020
(Haridas R. Ghuge Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Ms. Preeti R. Wankhade, 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 has sought time for filing rejoinder affidavit. Time granted.

3. S.O. to 12.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 228 OF 2020
(Santosh D. Dhongde Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Abhishek R. Avchat, learned counsel for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent authorities, is present.

2. Since none appears for the applicant, S.O. to 12.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**M.A.NO. 265/2022 IN O.A.NO. 190/2017
(Dattatray J. Zombade Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Heard Shri Shamsunder B. Patil, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. This is an application seeking amendment in the O.A. By way of amendment the subsequent events which have occurred during the pendency of the O.A. are sought to be taken on record.

3. Learned Chief Presenting Officer has submitted for passing appropriate order.

4. After having gone through the contents of the application and having regard to the fact that the subsequent events are sought to be brought on record, which are having nexus with the issue raised in the O.A. and no nature of the O.A. likely to be changed even if the amendment is allowed, I am inclined to allow the application. Hence the following order: -

:: - 2 - ::

**M.A.NO. 265/2022 IN
O.A.NO. 190/2017**

ORDER

The amendment application is allowed. The amendment be carried out within a period of two weeks.

(ii) O.A. to come up for hearing on 2.8.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 581 OF 2022
(Vijay B. Deshmukh Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

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

2. It is the case of the applicant that that the seniority of the present applicant has been ignored while short-listing the candidates for promotional post and the candidates at Sr. Nos. 6, 7 & 8 whose names are included in the letter dated 2.5.2022 are junior to the applicant. In the circumstances, the learned counsel for the applicant prayed for staying effect and implementation of the letter dated 2.5.2022.

3. Learned Chief Presenting Officer opposed for granting any such interim relief. He sought time to file affidavit in reply. He has further submitted that unless complete facts are brought on record it may not be proper to consider the request of the applicant.

4. After having gone through the contents of the application and documents filed on record it appears to me that the affidavit in reply from the respondents is necessary to

be on record, without which the request of the applicant cannot be considered. Hence, the following order: -

ORDER

1. Issue notice to respondents, returnable on 5.8.2022.
2. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
3. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
4. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
5. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

6. It is clarified that in the meanwhile if promotions are effected the said promotions will be subject to outcome of the present O.A.

7. S.O. to 5.8.2022.

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

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**M.A.ST.NO. 355/22 IN O.A.ST.NO. 356/22
(Balasaheb N. Patharkar Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri Sanjay Kolhare, learned counsel for the applicant
(**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer
for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to
13.7.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**M.A.ST.NO. 664/22 IN O.A.ST.NO. 665/22
(Reshma K. Kamble & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri S.S. Jadhavar, learned counsel for the applicant
(**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer
for the respondent authorities, is present.

2. Since nobody appears for the applicant, S.O. to
13.7.2022.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**ORIGINAL APPLICATION NO. 762 OF 2018
(Sahebrao D. Deshmukh & Ors. Vs. State of Maharashtra &
Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Shri S.D. Joshi, learned counsel for the applicants and
Shri M.S. Mahajan, learned Chief Presenting Officer for the
respondent authorities, are present.

2. S.O. to 13.7.2022. High on board.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

**M.A.NO. 279/2022 IN O.A.NO. 459/2022
(Suresh C. Kapate & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,
Vice Chairman**

[This matter is placed before the Single Bench
due to non-availability of Division Bench.]

DATE : **1.7.2022**

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. This is an application filed by the applicants seeking amendment in the O.A. The facts which have material bearing on the subject matter which were not completely within the knowledge of the applicants and the documents in that regard were not available, are sought to be filed on record and pleadings in that regard are sought to be incorporated.

3. Learned Presenting Officer has submitted for passing appropriate order.

4. Having gone through the contents of the application, it does not appear that the nature of the O.A. is likely to be changed because of the amendment sought in the O.A. In the circumstances, I am inclined to allow the amendment application. Hence, the following order: -

:: - 2 - ::

**M.A.NO. 279/2022 IN
O.A.NO. 459/2022**

ORDER

The amendment application is allowed. The necessary amendment be carried out within a period of two weeks. The copy of the amended O.A. be supplied to the respondents.

- (ii) O.A. to come up for hearing on 29.7.2022.
- (ii) There shall be no order as to costs.

VICE CHAIRMAN

ORAL ORDERS 1.7.2022-HDD

CHAMBER APPEAL NO. 13 OF 2022
(Balasaheb Ansaram Shinde Vs. State of Maharashtra & Ors.)

CORAM : JUSTICE P.R. BORA, VICE CHAIRMAN

DATE : 1.7.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned counsel holding for Shri Hemant Surve, learned counsel for the applicant.

2. Vide order dated 2.2.2022 the Registrar of this Tribunal was pleased to refuse the registration of O.A. St. No. 711/2021 under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 1.7.2021 the office has raised the following office objection.

1) Prayer clause not mentioned properly.

3. Vide office note dated 28.1.2022 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant in O.A. and office objection is not removed.

4. The applicant has made prayer for condonation of delay of about 123 days caused in filing Chamber Appeal No. 13/2022.

5. The learned Advocate for the applicant appeared today. He undertakes to remove the office objection in O.A. within reasonable period.

6. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objection in spite of repeated chances. The fact that the O.A. is filed for seeking directions to quash and set

:: - 2 - :: CHAMBER APPEAL NO. 13 OF 2022

aside the impugned communication dated 10.06.2021 issued by the respondent No. 3 by holding it to be impermissible in law and also seeking appointment on the post of Store cum linen keeper in furtherance to the select list published by the respondent No. 3 vide communication dated 28.4.2021 and in order to give an opportunity to the applicant to prove his claim on merits, it will be in the Interest of justice to allow the appeal by condoning delay of about 123 days caused in filing this Chamber Appeal as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:-

ORDER

- (i) Delay caused in filing Chamber Appeal stands condoned. Consequently, the Chamber Appeal No. 13/2022 is allowed as the applicant undertakes to remove the office objection in O.A. within a reasonable period.
- (ii) Registrar of this Tribunal Bench at Aurangabad is directed to register the O.A. after removing the office objection by the learned Advocate for the applicant and place the same before the appropriate bench for hearing.

VICE CHAIRMAN

M.A.NO.03 OF 2020 IN O.A.ST.NO.2143 OF 2019
(Dr. Deelip R. Tandale Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORDER :

2. This application is made seeking condonation of delay of about 4 years, 3 months and 28 days caused in filing the Original Application seeking notional annual increment on 01.07.2014 which was not paid to him in view of the fact of the retirement of the applicant on superannuation on 30.06.2014.

3. The applicant received last annual increment on 01.07.2013 before his retirement on superannuation on 30.06.2014. After completion of one year service from 01.07.2013 to 30.06.2014, the applicant is entitled for the annual increment due on 01.07.2014 though he was no more in service on that date being completed one year full service.

//2//

M.A.03/2020 In

O.A.St.2143/2019

The applicant made representation in that regard in the year, 2019. However, the respondents did not respond to the said representation. The applicant is entitled for the said annual increment in view of revised pay Rules framed in the year, 2009. It was the bounden duty of the respondents to consider and grant annual increment. There is delay in seeking relief. However, the said delay is not deliberate or intentional. Non action on the part of the respondents in that regard is not adhering to the principles of law. Hence, this application.

4. The affidavit-in-reply is filed on behalf of the respondent No.3 by one Dr. Mahesh P. More working as Live Stock Development Officer (Extension), Panchayat Samitee Osmanabad, Zilla Parishad Osmamabad. Thereby he denied all the adverse contentions raised in the application and contended

//3//

M.A.03/2020 In
O.A.St.2143/2019

that the applicant is negligent in asserting his right in time. Court can help those persons who are vigilant about their rights. The applicant has slept over his alleged right. No sufficient cause has been shown for condonation of delay. Therefore, the application is liable to be dismissed.

5. I have heard the arguments advanced by Shri P.R. Tandale, learned Advocate for the applicant on one hand and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 & 2 on other hand. Shri Ajinkya Reddy, learned Advocate for the respondent No. 3, is **absent**.

6. After having considered the contentions raised by the applicant, it appears that the applicant is seeking his right as per Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009, thereby seeking notional

//4//

M.A.03/2020 In
O.A.St.2143/2019

annual increment as of 1st July following the next day immediately after his retirement.

7. The Original Application along with this delay condonation application is presented on 22.10.2019. No doubt the applicant before filing this Original Application made representation on 15.07.2019. The said representation itself is beyond the period of limitation. Hence, this cannot be relevant for considering the delay. By taking into consideration the date of retirement of the applicant and the date of filing of the Original Application, there is delay of about 4 years, 3 months and 28 days.

8. By filing the present Original Application the applicant is seeking interpretation of Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009. In such circumstances, refusing to condone the delay is likely to defeat the cause of justice at the threshold.

//5//

M.A.03/2020 In
O.A.St.2143/2019

It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. By considering the issues raised by the applicant in the Original Application, other Government Servant’s right is not likely to be prejudiced. In the circumstances, in my considering opinion, it would be just and proper to condone the delay of 4 years, 3 months and 28 days caused in filing the Original Application by imposing moderate costs upon the applicant. I compute the costs of Rs.1000/- (One Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 03/2020 in O.A.St.No.2143/2019 is allowed in following terms:-

- (A) The delay of about 4 years, 3 months and 28 days caused in filing the accompanying

//6//

M.A.03/2020 In
O.A.St.2143/2019

O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1,000/- (One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

**M.A.NO.04 OF 2020 IN O.A.ST.NO.2316 OF 2019
(Laxman R. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORDER :

2. This application is made seeking condonation of delay of about 5 years, 4 months and 28 days caused in filing the Original Application seeking notional annual increment on 01.07.2013 which was not paid to him in view of the fact of the retirement of the applicant on superannuation on 30.06.2013.

3. The applicant received last annual increment on 01.07.2012 before his retirement on superannuation on 30.06.2013. After completion of one year service from 01.07.2012 to 30.06.2013, the applicant is entitled for the annual increment due on 01.07.2013 though he was no more in service on that date being completed one year full service.

//2//

M.A.04/2020 In
O.A.St.2316/2019

The applicant made representation in that regard in the year, 2019. However, the respondents did not respond to the said representation. The applicant is entitled for the said annual increment in view of revised pay Rules framed in the year, 2009. It was the bounden duty of the respondents to consider and grant annual increment. There is delay in seeking relief. However, the said delay is not deliberate or intentional. Non action on the part of the respondents in that regard is not adhering to the principles of law. Hence, this application.

4. The affidavit-in-reply is filed on behalf of the respondent Nos.2 and 3 by one Prashant Purushottam Sant working as Executive Engineer. Thereby he denied all the adverse contentions raised in the application and contended that the applicant is not entitled to claim yearly increment for the period of 01.07.2012 to 01.07.2013. The applicant is not

//3//

M.A.04/2020 In
O.A.St.2316/2019

maintainable as per statutory Rule. The applicant has not explained the delay properly and no sufficient cause has been shown for condonation of delay. Therefore, the application is liable to be dismissed.

5. I have heard the arguments advanced by Shri P.R. Tandale, learned Advocate for the applicant on one hand, Shri N.U. Yadav, learned Presenting Officer for the respondent No.1 and Shri G.N. Patil, learned Advocate for the respondent Nos.2 & 3 on other hand.

6. After having considered the contentions raised by the applicant, it appears that the applicant is seeking his right as per Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009, thereby seeking notional annual increment as of 1st July following the next day immediately after his retirement.

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M.A.04/2020 In
O.A.St.2316/2019

7. The Original Application along with this delay condonation application is presented on 28.11.2019. No doubt the applicant before filing this Original Application made representation on 07.09.2019. The said representation itself is beyond the period of limitation. Hence, this cannot be relevant for considering the delay. By taking into consideration the date of retirement of the applicant and the date of filing of the Original Application, there is delay of about 5 years, 4 months and 28 days.

8. By filing the present Original Application the applicant is seeking interpretation of Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009. In such circumstances, refusing to condone the delay is likely to defeat the cause of justice at the threshold. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally.

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M.A.04/2020 In
O.A.St.2316/2019

By considering the issued raised by the applicant in the Original Application, other Government Servant's right is not likely to be prejudiced. In the circumstances, in my considering opinion, it would be just and proper to condone the delay of 5 years, 4 months and 28 days caused in filing the Original Application by imposing moderate costs upon the applicant. I compute the costs of Rs.1000/- (One Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 04/2020 in O.A.St.No.2316/2019 is allowed in following terms:-

- (A) The delay of about 5 years, 4 months and 28 days caused in filing the accompanying O.A. under Section 19 of the Administrative

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M.A.04/2020 In

O.A.St.2316/2019

Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1,000/- (One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

**M.A.NO.05 OF 2020 IN O.A.ST.NO.2458 OF 2019
(Dr. Manik S. Madke Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORDER :

2. This application is made seeking condonation of delay of about 6 years 5 months and 20 days caused in filing the Original Application seeking notional annual increment on 01.07.2012 which was not paid to him in view of the fact of the retirement of the applicant on superannuation on 30.06.2012.

3. The applicant received last annual increment on 01.07.2011 before his retirement on superannuation on 30.06.2012. After completion of one year service from 01.07.2011 to 30.06.2012, the applicant is entitled for the annual increment due on 01.07.2012 though he was no more in service on that date being completed one year full service.

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M.A.05/2020 In

O.A.St.2458/2019

The applicant made representation in that regard in the year, 2019. However, the respondents did not respond to the said representation. The applicant is entitled for the said annual increment in view of revised pay Rules framed in the year, 2009. It was the bounden duty of the respondents to consider and grant annual increment. There is delay in seeking relief. However, the said delay is not deliberate or intentional. Non action on the part of the respondents in that regard is not adhering to the principles of law. Hence, this application.

4. The affidavit-in-reply is filed on behalf of the respondent No.5 by one Dr. Mahesh P. More working as Live Stock Development Officer (Extension), Panchayat Samitee Osmanabad, Zilla Parishad Osmamabad. Thereby he denied all the adverse contentions raised in the application and contended

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M.A.05/2020 In
O.A.St.2458/2019

that the applicant is negligent in asserting his right in time. Court can help those persons who are vigilant about their rights. The applicant has slept over his alleged right. No sufficient cause has been shown for condonation of delay. Therefore, the application is liable to be dismissed.

5. I have heard the arguments advanced by Shri P.R. Tandale, learned Advocate for the applicant on one hand and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos.1 to 4 & 6 on other hand. Shri Ajinkya Reddy, learned Advocate for the respondent No. 5, is **absent**.

6. After having considered the contentions raised by the applicant, it appears that the applicant is seeking his right as per Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009, thereby seeking notional

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M.A.05/2020 In

O.A.St.2458/2019

annual increment as of 1st July following the next day immediately after his retirement.

7. The Original Application along with this delay condonation application is presented on 20.12.2019. No doubt the applicant before filing this Original Application made representation on 18.07.2019. The said representation itself is beyond the period of limitation. Hence, this cannot be relevant for considering the delay. By taking into consideration the date of retirement of the applicant and the date of filing of the Original Application, there is delay of about 6 years, 5 months and 20 days.

8. By filing the present Original Application the applicant is seeking interpretation of Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009. In such circumstances, refusing to condone the delay is likely to defeat the cause of justice at the threshold.

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M.A.05/2020 In
O.A.St.2458/2019

It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. By considering the issues raised by the applicant in the Original Application, other Government Servant’s right is not likely to be prejudiced. In the circumstances, in my considering opinion, it would be just and proper to condone the delay of 6 years, 5 months and 20 days caused in filing the Original Application by imposing moderate costs upon the applicant. I compute the costs of Rs.1000/- (One Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 05/2020 in O.A.St.No.2458/2019 is allowed in following terms:-

- (A) The delay of about 6 years, 5 months and 20 days caused in filing the accompanying O.A. under Section 19 of the Administrative

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M.A.05/2020 In

O.A.St.2458/2019

Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1,000/- (One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

**M.A.NO.06 OF 2020 IN O.A.ST.NO.2318 OF 2019
(Dattatraya K. Istake Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORDER :

2. This application is made seeking condonation of delay of about 1 year, 4 months and 28 days caused in filing the Original Application seeking notional annual increment on 01.07.2017 which was not paid to him in view of the fact of the retirement of the applicant on superannuation on 30.06.2017.

3. The applicant received last annual increment on 01.07.2016 before his retirement on superannuation on 30.06.2017. After completion of one year service from 01.07.2016 to 30.06.2017, the applicant is entitled for the annual increment due on 01.07.2017 though he was no more in service on that date being completed one year full service.

O.A.St.2318/2019

The applicant made representation in that regard in the year, 2019. However, the respondents did not respond to the said representation. The applicant is entitled for the said annual increment in view of revised pay Rules framed in the year, 2009. It was the bounden duty of the respondents to consider and grant annual increment. There is delay in seeking relief. However, the said delay is not deliberate or intentional. Non action on the part of the respondents in that regard is not adhering to the principles of law. Hence, this application.

4. The affidavit-in-reply is filed on behalf of the respondent Nos. 2 and 3 by one Prashant Purushottam Sant working as Executive Engineer. Thereby he denied all the adverse contentions raised in the application and contended that the applicant is not entitled to claim yearly increment for the period of 01.07.2016 to 01.07.2017. The applicant is not

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M.A.06/2020 In
O.A.St.2318/2019

maintainable as per statutory Rule. The applicant has not explained the delay properly and no sufficient cause has been shown for condonation of delay. Therefore, the application is liable to be dismissed.

5. I have heard the arguments advanced by Shri P.R. Tandale, learned Advocate for the applicant on one hand, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent No.1 and Shri G.N. Patil, learned Advocate for the respondent Nos.2 and 3 on other hand.

6. After having considered the contentions raised by the applicant, it appears that the applicant is seeking his right as per Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009, thereby seeking notional annual increment as of 1st July following the next day immediately after his retirement.

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M.A.06/2020 In

O.A.St.2318/2019

7. The Original Application along with this delay condonation application is presented on 28.11.2019. No doubt the applicant before filing this Original Application made representation on 06.09.2019. The said representation itself is beyond the period of limitation. Hence, this cannot be relevant for considering the delay. By taking into consideration the date of retirement of the applicant and the date of filing of the Original Application, there is delay of about 1 year, 4 months and 28 days.

8. By filing the present Original Application the applicant is seeking interpretation of Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009. In such circumstances, refusing to condone the delay is likely to defeat the cause of justice at the threshold. It is a settled principle of law that the expression "sufficient cause" is to be construed liberally. By considering the issues raised by the applicant in the

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M.A.06/2020 In
O.A.St.2318/2019

Original Application, other Government Servant's right is not likely to be prejudiced. In the circumstances, in my considering opinion, it would be just and proper to condone the delay of 1 year, 4 months and 28 days caused in filing the Original Application by imposing moderate costs upon the applicant. I compute the costs of Rs.500/- (Five Hundred only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 06/2020 in O.A.St.No.2318/2019 is allowed in following terms:-

- (A) The delay of about 1 year, 4 months and 28 days caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 500/-

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M.A.06/2020 In

O.A.St.2318/2019

(Five Hundred only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.

- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

**M.A.NO.01 OF 2020 IN O.A.ST.NO.2317 OF 2019
(Devidas M. Kandahare Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORDER :

1. This application is made seeking condonation of delay of about 5 years, 7 months caused in filing the Original Application seeking notional annual increment on 01.07.2013 which was not paid to him in view of the fact of the retirement of the applicant on superannuation on 31.05.2013.

2. The applicant received last annual increment on 01.07.2012 before his retirement on superannuation on 31.05.2013. After completion of one year service from 01.07.2012 to 31.05.2013, the applicant is entitled for the annual increment due on 01.07.2013 though he was no more in service on that date being completed one year full service.

3. Learned Advocate for the applicant, however, orally submitted that in this case applicant completed more than six months service from receiving last annual increment and therefore is entitled for notional annual increment as on 01.07.2013.

4. The applicant made representation in that regard in the year, 2019. However, the respondents did not respond to the said representation. The applicant is entitled for the said annual increment in view of revised pay Rules framed in the year, 2009. It was the bounden duty of the respondents to consider and grant annual increment. There is delay in seeking relief. However, the said delay is not deliberate or intentional. Non action on the part of the respondents in that regard is not adhering to the principles of law. Hence, this application.

5. The affidavit-in-reply is filed on behalf of the respondent Nos. 2 and 3 by one Prashant Purushottam Sant working as Executive Engineer. Thereby he denied all the adverse contentions raised in the application and contended that the applicant is not entitled to claim yearly increment for the period of 01.07.2012 to 01.07.2013. The applicant is not maintainable as per statutory Rule. The applicant has not explained the delay properly and no sufficient cause has been shown for condonation of delay. Therefore, the application is liable to be dismissed.

6. I have heard the arguments advanced by Shri P.R. Tandale, learned Advocate for the applicant on one hand, Shri M.P. Gude, learned Presenting Officer for the respondent No.1 and Shri G.N. Patil, learned Advocate for the respondent Nos. 2 and 3 on other hand.

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M.A.01/2020 In
O.A.St.2317/2019

7. After having considered the contentions raised by the applicant, it appears that the applicant is seeking his right as per Rule 10 of Maharashtra Civil Services (Revised Pay) Rules, 2009, thereby seeking notional annual increment as of 1st July.

8. The Original Application along with this delay condonation application is presented on 28.11.2019. No doubt the applicant before filing this Original Application made representation on 06.09.2019. The said representation itself is beyond the period of limitation. Hence, this cannot be relevant for considering the delay. By taking into consideration the date of retirement of the applicant and the date of filing of the Original Application, there is delay of about 5 years and 7 months.

9. By filing the present Original Application the applicant is seeking interpretation of Rule 10 of

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M.A.01/2020 In
O.A.St.2317/2019

Maharashtra Civil Services (Revised Pay) Rules, 2009. In such circumstances, refusing to condone the delay is likely to defeat the cause of justice at the threshold. It is a settled principle of law that the expression “sufficient cause” is to be construed liberally. By considering the issues raised by the applicant in the Original Application, other Government Servant’s right is not likely to be prejudiced. In the circumstances, in my considering opinion, it would be just and proper to condone the delay of 5 years and 7 months caused in filing the Original Application by imposing moderate costs upon the applicant. I compute the costs of Rs.1000/- (One Thousand only) on the applicant and proceed to pass the following order: -

ORDER

The Misc. Application No. 01/2020 in
O.A.St.No.2317/2019 is allowed in following terms:-

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M.A.01/2020 In
O.A.St.2317/2019

- (A) The delay of about 5 years and 7 months caused in filing the accompanying O.A. under Section 19 of the Administrative Tribunals Act, 1985 is hereby condoned subject to payment of costs of Rs. 1,000/- (One Thousand only) by the applicant. The amount of costs shall be deposited in the Registry of this Tribunal within a period of one month from the date of this order.
- (B) Upon satisfaction of the costs as above, the accompanying O.A. be registered and numbered by taking in to account other office objection/s, if any.

MEMBER (J)

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

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

DATE : 01.07.2022

ORAL ORDER :

Heard Ms. Kanchan Saraf, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 27.07.2022 for final hearing.

MEMBER (J)

SAS ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO.116 OF 2018
(Sanjay M. Deokate Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. By consent of both the sides, S.O. to 13.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.543 OF 2020
(Gaurav C. Randive Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri J.B. Choudhary, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. This Original Application is filed challenging the impugned order/communication dated 12.11.2020 (Annex. 'A-1') issued by the respondent No.2 i.e. the Director, Vocational Education & Training, Mumbai whereby one Shri Sunil Mangilal Rathod who is junior to the applicant in initial post of Training Officer was called for counseling for absorption on the equivalent post of Training Officer.

3. The applicant was appointed on the post of Training Officer, Class-III with the respondent No.3 on 13.02.2009 whereas Shri Sunil Mangilal Rathod was appointed on the post of Training Officer on 17.06.2010 as reflected in seniority list of Training Officer (Annex. 'A-4').

4. Subsequently, the applicant as well as the said Shri Sunil Mangilal Rathod were absorbed on the lower post of Craft Instructor. However, subsequently the applicant has been superseded by calling Shri Sunil Mangilal Rathod for absorption on equivalent post of Training Officer denying such post to the applicant on the ground that before giving him the appointment on the post of Craft Instructor, the applicant had given undertaking dated 20.02.2019 (Annex. 'A-8') that he would not claim in future his absorption on the equivalent post.

5. In such circumstances as above, in order to appreciate the right claimed by the applicant on the ground of discrimination amongst others, it would be just and proper to see the record of said Shri Sunil Mangilal Rathod as regards his initial appointment on the post of Training Officer and subsequently his absorption on the lower post on Craft Instructor and

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O.A.543/2020

more particularly as to whether any such undertaking was taken from said Shri Sunil Mangilal Rathod as that of the applicant.

6. The respondents to produce on record the relevant record positively by the next date.
7. The present matter be treated as part heard.
8. S.O. to 15.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 407 OF 2019
(Sadhana U. Borse @ Sadhna S. Pachpol Vs. State of
Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Smt. Amruta Paranjape-Menezes, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 & 5. Shri H.P. Deshmukh, learned Advocate for respondent No. 4, **absent**.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3 & 5.

3. S.O. to 25.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 388 OF 2020
(Rajendra V. Marale Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant filed rejoinder affidavit. Same is taken on record and the copy thereof has been served on the other side.
3. S.O. to 14.07.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 1048 OF 2019
(Ramchandra L. Kulkarni Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri K.M. Nagarkar, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent No. 1 and Shri M.C. Swami, learned Advocate for respondent Nos. 2 to 4.

2. At the request of learned Advocate for respondent Nos. 2 to 4, S.O. to 26.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 296 OF 2021
(Rekhabai C. Bahiram Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply. Hence, the present matter will proceed further in accordance with law.

3. It is made clear that it is responsibility of the applicant to produce on record the necessary documents, if any which will be necessary to decide the present Original Application.

4. S.O. to 25.07.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 691 OF 2019
(Rajendra B. Potdar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri K.P. Shinde, learned Advocate holding for Shri A.N. Gaddime, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**M.A. St. 1100/22 in M.A St. 635/22 in O.A. St. 536/22
(Anna B. Holkar & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 18.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 575 OF 2020
(Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri K.M. Nagarkar, 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 29.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**ORIGINAL APPLICATION NO. 787 OF 2018
(Shahadeo S. Bangar Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Shri N.U. Yadav, 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 15.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 193 OF 2021
(Dr. Govardhan S. Doifode Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. Learned Presenting Officer filed sur-rejoinder on behalf of respondent Nos. 1 to 4 along with a copy of communication dated 20.01.2022. Same is taken on record and copy thereof has been served on the other side.

3. By consent of both the sides, S.O. to 27.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 420 OF 2021
(Raosaheb B. Jangle Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. Learned Advocate for the applicant placed on record a copy of the order of revocation of suspension of the applicant dated 18.04.2022. Same is taken on record and marked as document 'X' for the purpose of identification.

3. By consent of both the sides, S.O. to 21.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 723 OF 2018
(Arjun N. Kolmare Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. At the request of learned Presenting Officer, S.O. to 11.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**O.A. No. 162/2018 with O.A. No. 163/2018
(Baliram B. Patil & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Shri A.D. Sugdare, learned Advocate for the applicants in both the O.As. (**Leave Note**). Heard Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1 & 2 in both the O.As. Smt. Sunita D. Shelke, learned Advocate for respondent Nos. 3 & 4, **absent.**

2. In view of leave note filed by the learned Advocate for the applicants, S.O. to 14.07.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 721 OF 2017
(Subhash K. Paralikar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, 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 04.08.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 698 OF 2017
(Jalamsingh D. Valvi Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant (**Leave Note**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 13.07.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 874 OF 2019
(Sahedabegum Shaikh Younus Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri Sanjay Kolhare, learned Advocate for the applicant (**absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply. Hence, the present matter will proceed further in accordance with law.

3. S.O. to 18.07.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**ORIGINAL APPLICATION NO. 03 OF 2020
(Anil V. Lad Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri M.S. Karad, learned Advocate for the applicant, Smt. Deepali S. Deshpande learned Presenting Officer for the respondent Nos. 1 to 4 and Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for respondent No. 5.

2. At the request of learned Advocate for the applicant, S.O. to 26.07.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1096 OF 2019
(Vikas D. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

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, time is granted for filing rejoinder affidavit.

3. S.O. to 25.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 487 OF 2020
(Usha R. Bahirat Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri S.M. Kamble, learned Advocate for the applicant (**Absent**). Heard Smt. Sanjivani K. Deshmukh-Ghate, 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 26.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 497 OF 2020
(Bhujang V. Godbole Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and 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 26.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 563 OF 2020
(Rajendra V. Marale Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, 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, time is granted for filing rejoinder affidavit.
3. S.O. to 25.07.2022.

MEMBER (J)

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

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

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

3. S.O. to 21.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 584 OF 2020
(Gopalrao R. Kulkarni through LRs. Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri M.L. Dharashive, learned Advocate for the applicant and Shri V.R. Bhumkar, 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 respondent Nos. 1, 3 to 5.

3. S.O. to 01.08.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 11 OF 2021
(Ravikant R. Hadoltikar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply. Hence, the present matter will proceed further in accordance with law.

3. S.O. to 18.07.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 49 OF 2021
(Vandana P. Sarode Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri D.K. Dagadkhair, 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 granted as one more last chance for filing affidavit in reply on behalf of respondent Nos. 1 & 2.

3. S.O. to 19.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**ORIGINAL APPLICATION NO. 110 OF 2021
(Dr. Namdeo R. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, 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 21.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 129 OF 2021
(Dr. Sheshrao P. Lohgave Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

3. S.O. to 19.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**ORIGINAL APPLICATION NO. 164 OF 2021
(Balu A. Cahvan Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

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

3. S.O. to 19.07.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

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

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

DATE : 01.07.2022

ORAL ORDER :

Shri S.S. Jadhavar, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 and Shri M.S. Mahajan, learned Advocate for respondent Nos. 2 & 3.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 1. Same is taken on record. He has also deposited one additional copy of affidavit in reply of respondent No. 1 for the applicant.

3. At the request of learned Advocate for respondent Nos. 2 and 3, time is granted for filing affidavit in reply.

4. S.O. to 22.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 374 OF 2021
(Pradeep K. Puri Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 2. Same is taken on record and copy thereof has been served on the other side.
3. S.O. to 22.07.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

**ORIGINAL APPLICATION NO. 479 OF 2021
(Lotan D. Vishi Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 27.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 610 OF 2021
(Madhukar K. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

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

2. Learned Presenting Officer submits that he has received para wise remarks and therefore, he seeks time for filing affidavit in reply. Time granted as most last chance for filing affidavit in reply on behalf of respondents.

3. S.O. to 19.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 728 OF 2021
(Shaikh Abdul Gafur Md. Sarwar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply. Hence, the present matter will proceed further in accordance with law.

3. S.O. to 18.07.2022 for admission.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 773 OF 2021
(Kalim Salim Inamdar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri Sayyed Tauseff Yaseen, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, 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 19.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**M.A. No. 403/2021 in O.A. St. No. 1539/2021
(Uttamrao S. Joshi Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent No. 4 in M.A. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 25.07.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 533 OF 2020
(Sadashiv D. Sakhare Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri P.B. Rakhunde, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1, 2 & 5 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 3,4 & 6.

2. At the request of learned Advocate for respondent Nos. 3, 4 & 6, time is granted for filing affidavit in reply.

3. S.O. to 22.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**M.A. No. 148/2022 in O.A. St. No. 595/2022
(Rahul K. Gaikwad Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri K.G. Salunke, learned Advocate for the applicant and Shri M.P. Gude, 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 in M.A..

3. S.O. to 19.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**ORIGINAL APPLICATION NO. 479 OF 2021
(Lotan D. Vishi Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash Deshmukh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 27.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 348 OF 2021
(Balaji M. Ghulekar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri M.V. Thorat, 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 the respondent No. 2, returnable on 04.07.2022.
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 04.07.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 126 OF 2020
(Dr. Sushilkumar B. Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri S.V. Mundhe, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

3. As none present for the applicant, S.O. to 22.07.2022 for passing necessary order.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**M.A. No. 276/2022 in O.A. St. No. 778/2022
(Bhimrao A. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

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

2. Issue notice to the respondents in M.A., returnable on 27.07.2022.
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 27.07.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 377 OF 2022
(Ratnadip M. Athawale Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri K.D. Jadhav, learned Advocate holding for Shri V.C. Suradkar, 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, S.O. to 27.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 378 OF 2022
(Kiran K. Waghule Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri K.D. Jadhav, learned Advocate holding for Shri V.C. Suradkar, 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 27.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 573 OF 2022
(Anandsing B. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri C.P. Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 27.07.2022.
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 27.07.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 574 OF 2022
(Soma M. Dhangar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri C.P. Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 27.07.2022.
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 27.07.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 580 OF 2022
(Ramhari G. Sontakke Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. Issue notice to the respondents, returnable on 18.07.2022.
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 18.07.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 357 OF 2020
(Sanjay D. Bobade Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard 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 01.08.2022.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 78 OF 2022
(Ashru M. Kaldate Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Shri V.M. Humbe, learned Advocate for the applicant (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 27.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 712 OF 2022
(Murlidhar G. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri A.R. Gaikwad, 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 27.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 713 OF 2022
(Dnyanoba S. Kokate Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri A.R. Gaikwad, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27.07.2022.

MEMBER (J)

**ORIGINAL APPLICATION ST. NO. 714 OF 2022
(Janardan N. Keadri Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri A.R. Gaikwad, 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 27.07.2022.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 766 OF 2022
(Sarjerao L. Tupsamindar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri A.R. Gaikwad, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 230 OF 2020
(Ashwini D. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 20.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 309 OF 2020
(Chandrakant Y. Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri M.A. Golegaonkar, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 29.07.2022 for passing necessary order.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 448 OF 2022
(Laxmikant S. Gojre Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to transfer. Hence, the O.A. is admitted and it be fixed for final hearing on 13.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 06 OF 2022
(Ramesh N. Shahane Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, 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 19.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 46 OF 2022
(Adinath A. Nagargoje Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the 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 19.07.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 324 OF 2022
(Govardhan B. Dongre Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri S.R. Sapkal, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, 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 25.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 327 OF 2022
(Muzaffar Abdul Sayeed Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Shri M.P. Gude, 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 14.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

M.A. No. 135/2020 in O.A. St. No. 336/2020
(Khushid Begum Mohd. Moosa Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Shri A.G. Dalal, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, 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 in M.A.

3. S.O. to 26.07.2022.

MEMBER (J)

M.A. No. 310/2020 in O.A. St. No. 2061/2019
(Jagdish K. Mahendrakar Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate for the applicant and Shri B.S. Deokar, 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 29.07.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**M.A. No. 337/2020 in O.A. St. No. 1240/2020
(Nitin A. Shete Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Shri N.K. Tungar, learned Advocate for the applicant (**Absent**). Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply. Hence, the present matter will proceed further in accordance with law.

3. S.O. to 18.07.2022 for hearing.

MEMBER (J)

M.A. No. 09/2021 in O.A. St. No. 05/2021
(Vilas B. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 26.07.2022 for filing rejoinder affidavit in M.A., if any.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

M.A. No. 276/2019 in O.A. St. No. 871/2019
(Rakesh T. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri S.N. Suryawanshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 29.07.2022.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

M.A. No. 127/2022 in O.A. St. No. 521/2022
(Dilip R. Gavit Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri A.S. Sawant, 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 in M.A.

3. S.O. to 26.07.2022.

MEMBER (J)

M.A. No. 89/2022 in O.A. St. No. 340/2022
(Prakash N. Thorat Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, 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 26.07.2022 for taking necessary steps.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

**M.A. No. 284/2021 in O.A. St. No. 823/2021
(Sandipan G. Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

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

2. Record shows that in spite of grant of opportunities, the respondents have not filed affidavit in reply in M.A. Hence, the present matter will proceed further in accordance with law.

3. S.O. to 25.07.2022 for hearing.

MEMBER (J)

**M.A. No. 39/2021 in O.A. St. No. 37/2021
(Azizkhan Y. Pathan Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

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

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

3. S.O. to 25.07.2022 for hearing.

MEMBER (J)

KPB ORAL ORDERS 01.07.2022

ORIGINAL APPLICATION NO. 548 OF 2021
(Rajendra M. Gunjal Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri A.T. Jadhavar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Record shows that pleadings are complete. However, by the order 18.04.2022, the amendment in the present O.A. was allowed.

3. Learned Presenting Officer submitted that thereafter, the matter was adjourned on 10.06.2022 and thereafter today i.e. on 01.07.2022. He further submitted that he has received amended portion of the O.A., but has not received the copy of impugned order dated 08.12.2021 (Annexure A-11), which is passed during the pendency of the present Original Application.

4. Learned Advocate for the applicant is directed to serve the copy of impugned order dated 08.12.2021 on the learned Presenting Officer.

5. At the request of learned Presenting Officer, time is granted for filing affidavit in reply to the amended O.A.

6. S.O. to 15.07.2022.

MEMBER (J)

**M.A. No. 281/2022 in O.A. No. 251/2022
(Vikas D. Wagh Vs. State of Maharashtra & Ors.)**

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri C.P. Patil, learned Advocate holding for Shri S.U. Choudhari, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The present Misc. Application is filed by the applicant seeking amendment in the Original Application contending that the applicant inadvertently failed to seek relief of revocation of suspension order dated 08.10.2020 (Annexure-A in O.A.). In the O.A., the applicant has prayed for reinstatement with all consequential benefits of payment of salary from the date of conclusion of enquiry i.e. from 30.04.2021 till this date. In the Departmental Enquiry by the order dated 29.04.2021 (Annexure A-3 in O.A.) his two annual increments are withheld without cumulative effect.

3. In view of above, in my considered opinion, the proposed amendment is not going to change the nature of original proceedings. In fact, the proposed amendment is just and necessary to determine the

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MA 281/2022 in
OA 251/2022

real question of controversy between the parties.
Hence, I proceed to pass following order :-

ORDER

- (i) The M.A. No. 281/2022 is allowed.
- (ii) The applicant shall carry out the necessary amendment in the O.A. within a period of one week's and to serve the amended copy of the O.A. on the other side.
- (iii) Accordingly, M.A. No. 281/2022 stands disposed of with no order as to costs.

MEMBER (J)

O.A. No. 251/2022
(Vikas D. Wagh Vs. State of Maharashtra & Ors.)

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

DATE : 01.07.2022

ORAL ORDER :

Heard Shri C.P. Patil, learned Advocate holding for Shri S.U. Choudhari, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply to the amended O.A.

3. S.O. to 21.07.2022.

MEMBER (J)