

ORIGINAL APPLICATION NO.116/2020

(Sk. Akhtar Hussain Mohd. Hanif Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

(Case is placed before the Single Bench due to non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

Heard Shri P.B.Rakhunde learned Advocate for the applicant and Shri V.R.Bhumkar learned Presenting Officer for the respondents.

2. Issue notice to the respondents, returnable on 20.04.2020.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. 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.

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O.A.No.116/2020

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 within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, case shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 20.04.2020.

9. Steno copy and hamdust is allowed to both the sides.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

C.P.NO.04/2020 IN O.A.NO.333/2017
(Dr. Shital Soni Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

(Case is placed before the Single Bench due to non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Issue notice to the respondent nos.2, 3, 4 & 5 in contempt petition, returnable on 22.04.2020.

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

4. Applicant is authorized and directed to serve on Respondents 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.

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C.P.NO.04/2020 IN O.A.NO.333/2017

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 within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, case shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 22.04.2020.

9. Steno copy and hamdust is allowed to both the sides.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

C.P.NO.05/2020 IN O.A.NO.336/2017
(Dr. Yogesh Solanke Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN
(Case is placed before the Single Bench due to
non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

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

2. Issue notice to the respondent nos.2, 3, 4 & 5 in contempt petition, returnable on 22.04.2020.

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

4. Applicant is authorized and directed to serve on Respondents 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.

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C.P.NO.05/2020 IN O.A.NO.336/2017

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 within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, case shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 22.04.2020.

9. Steno copy and hamdust is allowed to both the sides.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

C.P.NO.06/2020 IN O.A.NO.332/2017
(Dr. Anil Biradar Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

(Case is placed before the Single Bench due to non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Smt. Deepali Deshpande learned Presenting Officer for the respondents.

2. Issue notice to the respondent nos.2, 3, 4 & 5 in contempt petition, returnable on 22.04.2020.

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

4. Applicant is authorized and directed to serve on Respondents 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.

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C.P.NO.06/2020 IN O.A.NO.332/2017

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 within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, case shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 22.04.2020.

9. Steno copy and hamdust is allowed to both the sides.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

M.A.NO.119/2019 IN O.A.NO.NO.84/2020
(Chunilal Yawalkar Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

(Case is placed before the Single Bench due to non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

Heard Shri A.D.Sugdare learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Issue notice to the respondents in M.A., returnable on 23.04.2020.

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

4. Applicant is authorized and directed to serve on Respondents 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.

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M.A.NO.119/2019 IN O.A.NO.NO.84/2020

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 within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, case shall stand dismissed without reference to Tribunal and papers be consigned to the record.

8. S.O. to 23.04.2020.

9. Steno copy and hamdust is allowed to both the sides.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO.647/2019
(Balasaheb T. Deshmukh Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN
(Case is placed before the Single Bench due to
non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned P.O. has produced copy of communication dated 02-02-2020 addressed to Under Secretary, Finance Department, Mantralaya, Mumbai by the Special Commissioner of State Tax,, Mumbai. It is taken on record.

3. Learned P.O. seeks time to file affidavit in reply on behalf of respondent no.1-A. Time is granted as a most last chance. If reply is not filed on the said date, heavy costs will be saddled on the respondents.

4. S.O. to 09-03-2020.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

**M.A.NO.421/2016 IN C.P.NO.06/1998 IN
O.A.NO.01/1998
(Shrikant B. Patil Vs. State of Maharashtra & Ors.)**

CORAM : B. P. PATIL, ACTING CHAIRMAN

(Case is placed before the Single Bench due to
non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

Heard Shri P.V.Suryavanshi learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for the respondents.

Shri Shamsundar B. Patil learned Advocate for respondent nos.3 to 5 is **absent**.

2. None appears for the applicant. Applicant has prayed for withdrawal of amount of Rs.1,67,283/- with interest deposited by the respondents in compliance of the order passed by the Tribunal in Contempt Petition No.06/1998.

3. On perusal of the record, it reveals that the order passed by this Tribunal in O.A.No.01/1998 has been challenged before the Hon'ble Apex Court and matter is still pending before the Hon'ble Apex Court. In view of this, it is just to dispose of the M.A. Hence, the M.A. stands disposed of accordingly with no order as to costs.

ACTING CHAIRMAN

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

CORAM : B. P. PATIL, ACTING CHAIRMAN
(Case is placed before the Single Bench due to
non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned P.O. states that the respondents do not want to file reply in the M.A. Hence, the case be placed for hearing on 30-03-2020.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

M.A.NO.86/2020 WITH O.A.NO.387/2018
(Pramod Gite Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN
(Case is placed before the Single Bench due to
non-availability of the Division Bench)

DATE : 02.03.2020

ORAL ORDER :

Heard Shri A.S.Deshmukh learned Advocate for the applicant, Shri N.U.Yadav learned Presenting Officer for the respondent nos.1 to 3, Shri N.P.Dube learned Advocate for respondent no.4 and Shri R.D.Khadap learned Advocate for respondent no.5.

2. Learned Advocate for the applicant has submitted that now the applicant has no grievance against the respondent no.4 in the M.A. & O.A. Therefore, the applicant wants to delete name of respondent no.4 from the array of the title clause and he sought leave to delete name of the respondent no.4 by carrying out amendment.

3. Since the applicant does not want to proceed against the respondent no.4 and prays for leave to delete name of respondent no.4, leave as prayed for is granted. Applicant to amend the M.A. & O.A. accordingly forthwith.

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M.A.NO.86/2020 WITH O.A.NO.387/2018

4. Learned Advocate for respondent no.5 has submitted that the respondent no.5 intends to file reply to the M.A. Therefore, he sought time to file reply. Time is granted.

5. Learned P.O. states that reply of respondent nos.1 to 3 is not necessary and therefore the respondent nos.1 to 3 will not file reply.

6. S.O. to 18-03-2020.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO.515/2019
(Mangesh Waghlikar Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri M.R.Kulkarni learned Advocate holding for Shri K.G.Salunke learned Advocate for the applicant and Shri M.S.Patni learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 13-03-2020 for final hearing as a last chance.

ACTING CHAIRMAN

YUK ORAL ORDERS 02.03.2020

CHAMBER APPEAL NO. 08 OF 2020
(Shri Sagar Anil Zinjurde Vs. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM : B.P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri L.V. Sangit, learned Advocate for the applicant.

2. Vide order dated 17.02.2020 the Registrar of this Tribunal was pleased to refuse the registration under Rule 5 (4) of Maharashtra Administrative Tribunal (Procedural) Rules, 1988. On 09.01.2020 the office has raised the following office objection:-

1) O.A. appears to be barred by limitation in view of applicant's first representation dated 02.07.2008.

3. Vide office note dated 10.02.2020 Registrar of this Tribunal at Aurangabad Bench noted that nobody appeared for the applicant and office objection is not removed.

4. The learned Advocate for the applicant appeared today and undertakes to remove the office objection within a reasonable period.

5. Technically, the Registrar was right in refusing the registration since nobody appeared for the applicant in view of the objection in spite of repeated

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CHAMBER APPEAL NO. 08 OF 2020

chances. The fact that the O.A. is filed by the applicant seeking appointment on compassionate ground 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 as the applicant shall not suffer for the negligence of his Advocate. Hence, the following order:

ORDER

(i) The Chamber Appeal No. 08/2020 is allowed as the applicant undertakes to remove the office objection within a reasonable period.

(iii) Registrar of this Tribunal Bench at Aurangabad is directed to register the O.A. St. No. 46/2020 after removing the office objection by the learned Advocate for the applicant and place the same before the appropriate bench for hearing.

ACTING CHAIRMAN

ORAL ORDERS 02.03.2020-HDD

ORIGINAL APPLICATION NO. 326 OF 2019
(Shree Prakash B. Shinde Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Presenting Officer has filed a copy of communication dated 24.02.2020 addressed to Inspector General of Registration & Stamp Controller, M.S., Pune by the Joint District of Registration, Class-I And Collector of Stamp, Jalgaon and the same is taken on record and marked as document "X" for the purposes of identification. Respondent No. 3, Shri V.S. Bhalerao, is also present today before this Tribunal.

3. Learned Presenting Officer, on instructions from the respondent No. 3, who is present today before the Tribunal, states that the respondent No. 3 is ready to consider the proposal of the applicant for correcting the date of birth recorded in the service record in view of the provisions of Instruction No. 3 of Rule 38 of the Maharashtra Civil Services (General Conditions of Services) Rules, 1981 afresh and he will send proposal

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accordingly to the higher authority within a period of 15 days.

4. Learned Advocate for the applicant states that in view of the statement made by the respondent No. 3 the impugned order may be quashed and the necessary directions to the respondents to decide the application of the applicant afresh as per the rules.

5. In view of the statement made by the learned Advocate for the applicant and in view of the statement made by the learned Presenting Officer on behalf of respondent No. 3, the impugned order dated 06.12.2018 (Exh. 'H' page, 25 'A' of the paper book of O.A.) is quashed and set aside, as the respondent No. 3 is ready to reconsider the application of the applicant as per the provisions of Instruction No. 3 of Rule 38 of the Maharashtra Civil Services (General Conditions of Services) Rules, 1981.

Respondent No. 3 is directed to take appropriate steps and send proposal in that regard to the concerned higher authority within a period of 15 days from today. On receiving the proposal sent by the respondent No. 3, respondent No. 4, the Secretary, G.A.D., M. S. Mumbai, has to take decision on the

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O.A. NO. 326 OF 2019

proposal on its own merits as per the rules, within a period of two months from the date of receipt of copy of proposal sent by respondent No. 3, and communicate the decision thereof to the applicant in writing.

6. Accordingly, the present Original Application stands disposed of without any order as to costs.

ACTING CHAIRMAN

ORAL ORDERS 02.03.2020-HDD

ORIGINAL APPLICATION NO. 51 OF 2018
(Shree David S. Ganthur & Ors. Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Kirtishahi P.S., learned Advocate holding for Shri Kiran M. Nagarkar, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 19.03.2020 as a last chance.

ACTING CHAIRMAN

ORAL ORDERS 02.03.2020-HDD

ORIGINAL APPLICATION NO. 955 OF 2018
(Shree Madhukar K. Sapdhare Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri D.R. Irale Patil, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri S.B. Bhosle, learned Advocate for respondent No. 5.

2. Shri S.B. Bhosle, learned Advocate has submitted that he has tried to contact respondent No. 5, Shri S.P. Rathod, the Executive Engineer (Irrigation), Zilla Parishad, Aurangabad, to take instructions as to whether he has taken appropriate steps in view of the directions given by this Tribunal on 20.11.2019. He has submitted that he has unable to contact respondent No. 5. He has further submitted that as he has unable to contact the respondent No. 5, he could not make statement in that regard.

3. On perusal of the record, it reveals that on 20.11.2019 this Tribunal had directed the respondents to take appropriate steps to pay the interest to the applicant, if there was delay in making payment of pension and pensionary benefits to the applicant and also to make statement regarding the calculation of

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interest. Learned Advocate for the applicant has submitted that the respondent No. 5 has not followed the said directions. Therefore, issue notice to the respondent No. 5, Shri S.P. Rathod, the Executive Engineer (Irrigation), Zilla Parishad, Aurangabad, to show cause as to why action should not be taken against him for flouting the directions / order of this Tribunal, returnable on 09.03.2020.

4. Learned Presenting Officer is directed to communicate this order to the respondent No. 5.

5. S.O. to 09.03.2020.

ACTING CHAIRMAN

ORAL ORDERS 02.03.2020-HDD

ORIGINAL APPLICATION NO. 65 OF 2020
(Shree Nandkishor T. Palik Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Swapnil A. Deshmukh, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 16.03.2020.

ACTING CHAIRMAN

ORAL ORDERS 02.03.2020-HDD

ORIGINAL APPLICATION NO. 64 OF 2020
(Shree Ashok R. Shinde Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed a copy of order dated 03.02.2020 addressed to the applicant viz. Shree Ashok R. Shinde, by the Residential Deputy Collector, Jalna and the same is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Advocate for the applicant has submitted that in view of the aforesaid order dated 03.02.2020 cause for filing the present Original Application does not survive and, therefore, applicant intends to challenge the order dated 03.02.2020 by filing the separate O.A. Therefore, he seeks leave of this Tribunal to withdraw the present Original Application with liberty to the applicant to challenge the order dated 03.02.2020.

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4. Learned Presenting Officer has submitted that the necessary orders may be passed.

5. In view of the aforesaid submissions made by the learned Advocate for the applicant and as the applicant intends to challenge the order dated 03.02.2020 by filing separate O.A. and as the applicant does not want to proceed with the present Original Application, leave to withdraw the same is granted.

6. Accordingly, present Original Application is disposed of as withdrawn with liberty to the applicant to challenge the order dated 03.02.2020 by filing separate Original Application. There shall be no order as to costs.

ACTING CHAIRMAN

ORAL ORDERS 02.03.2020-HDD

ORIGINAL APPLICATION NO. 45/2017
(Sunita R. Thite Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. With the consent of both the sides, the present O.A. is hereby admitted.

3. As the Division Bench is not available, present O.A. be placed before the Division Bench for final hearing as and when it would be available.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 788/2017
(Ashok T. Chobale Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. With the consent of both the sides, the present O.A. is hereby admitted.

3. As the Division Bench is not available, present O.A. be placed before the Division Bench for final hearing as and when it would be available.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

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

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Shri Pawangir L. Giri, applicant in person and Smt. M.S. Patni, learned Presenting Officer for the respondents are present.

2. At the request of applicant, S.O. to 20.4.2020 for filing rejoinder affidavit, if any.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 474/2018
(Prashant P. Vaidya Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, 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 21.4.2020 for filing rejoinder affidavit, if any.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 657/2018
(Ayesha Feroz Khan Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

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

2. With the consent of both the sides, the present O.A. is hereby admitted.

3. As the Division Bench is not available, present O.A. be placed before the Division Bench for final hearing as and when it would be available.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 891/2018
(Dr. Uddhav S. Khaire Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 15.4.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 269/2019
(Sunil S. Wagh Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Manish P. Tripathi, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent no. 1 and Shri Rajendra N. Chavan, learned Advocate for respondent no. 2.

2. Respondent no. 2 has already filed affidavit in reply. Learned Presenting Officer submits that the respondent no. 1 intends to adopt affidavit in reply filed by the respondent no. 2. The said statement of learned Presenting Officer is taken on record.

3. In the circumstances, S.O. to 15.4.2020 for filing rejoinder affidavit, if any.

ACTING CHAIRMAN

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

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Shri Omprakash Y. Kashid, learned Advocate for the applicant (**absent**). Shri B.S. Deokar, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 20.4.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 417/2019
(Shashikant D. Guntoorkar & Anr. Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Jahed Ali, learned Advocate holding for Shri M.A. Golegaonkar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 20.4.2020 for filing rejoinder affidavit to the affidavit in replies of the respondents.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 541/2019
(Raghunath S. Chavan Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri Vinod M. Vibhute, learned Advocate for respondent no. 4.

2. At the request of learned Advocate for the respondent no. 4, S.O. to 13.4.2020 for filing affidavit in reply.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 755/2019
(Dr. Prashant N. Suryawanshi Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 16.4.2020 for filing rejoinder affidavit.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

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

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.
3. In the circumstances, S.O. to 16.4.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 947/2019
(Dr. Anil R. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to file rejoinder affidavit. Time granted.
3. In the circumstances, S.O. to 16.4.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 1014/2019
(Bade Ratnahari Shridhar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Chief Presenting Officer has filed affidavit in reply of respondent nos. 1 & 2. It is taken on record and copy thereof has been supplied to other side.

3. In the circumstances, S.O. to 16.4.2020 for filing rejoinder affidavit, if any.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

**O.A. NOS. 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005 AND 1006
ALL OF 2019**

(Dr. Ahmed Munibhuddin & Ors. Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri M.R. Kulkarni, learned Advocate for the applicants in all these cases and S/shri M.S. Mahajan, S.K. Shirse, V.R. Bhumkar, M.P. Gude, D.R. Patil, B.S. Deokar, Smt. Priya R. Bharaswadkar & Smt. Deepali S. Deshpande, learned Chief Presenting Officer & Presenting Officers for the respondents in respective cases.

2. Learned Chief Presenting Officer & Presenting Officer seek time to file affidavit in replies of the respondents in respective cases. Time granted.

3. In the circumstances, S.O. to 17.4.2020.

ACTING CHAIRMAN

**M.A. 509/2017 IN O.A. ST. 1671/2017
AND
M.A. 510/2017 IN O.A. ST. 1672/2017
AND
M.A. 511/2017 IN O.A. ST. 1673/2017
(Sambhaji S. Patil & Ors. V/s. State of Maharashtra & Ors.)**

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Nitin K. Chaudhari, learned Advocate for the applicants in all these cases and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents in all these cases.

2. At the request and by consent of both the parties, S.O. to 17.4.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

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

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time to file affidavit in reply of the respondents in the present M.A. Time granted.

3. In the circumstances, S.O. to 16.4.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

M.A. 109/2020 IN O.A. 927/2019
(Sunil S. Kuvar Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.G. Kulkarni, 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 31.3.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 689/2015
(Dr. Shrikant B. Tambe Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Rahul Angamkera, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. Since the Division Bench is not available, S.O. to 16.4.2020 for final hearing.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 142/2017
(Bajirao V. Chaudhari Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent no. 1 and Shri S.D. Dhongde, learned Advocate for respondent nos. 2 to 4.

2. Since the Division Bench is not available, S.O. to 17.4.2020 for final hearing.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

M.A. 138/2019 IN O.A. 805/2017
(Dr. Vanita N. Puri Vs. State of Maharashtra & Ors.)

CORAM : B.P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Shri Vishnu Dhoble, learned Advocate for the applicant (**absent**). Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Avinash S. Deshmukh, learned Advocate for respondent no. 4, are present.

2. In view of absence of learned Advocate for the applicant, S.O. to 16.4.2020.

ACTING CHAIRMAN

ARJ ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 119 OF 2020
(Smt. Vrushali V. Maindarkar V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

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

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Shakil Shaikh, learned Advocate holding for Shri R.D. Biradar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has placed on record a copy of Interview letter dated 25.02.2020 of the applicant. He has submitted that the applicant does not want to proceed with the present O.A. as the purpose of filing of the same has been served in view of the interview letter and therefore, she wants to withdraw the same. Therefore, he seeks leave of this Tribunal to withdraw the O.A.

3. Learned Presenting Officer has prayed to pass necessary order.

4. In view of the submissions advanced by the learned Advocate for the applicant, leave as prayed for is granted. The O.A. is disposed of as withdrawn with no order as to costs.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 670 OF 2019
(Smt. Kaushalya B. Jadhav V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri C.V. Joshi, 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, as a last chance, S.O. to 23.04.2020 for filing rejoinder affidavit.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 895 OF 2018
(Shri Murlidhar E. Sakhare & Anr. V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri K.C. Sonone, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicant, Shri D.R. Patil, learned Presenting Officer for the respondent Nos. 1&3 and Shri Ashish Rajkar, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for respondent Nos. 2 & 4.

2. At the request of learned Advocate for the applicant, S.O. to 21.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 973 OF 2018
(Shri Raajaram Z. Mohite V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 & 2 and Smt. Suvarna Zaware, learned Advocate for respondent No. 3.

2. Learned Advocate for respondent No. 3 has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer has submitted that during the course of the affidavit in reply on behalf of respondent Nos. 1 & 2 would be filed.

4. S.O. to 21.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

M.A. No. 136/2019 in O.A. St. No. 346/2019
(Shri Yayati T. Ghorband V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri A.D. Gadekar, 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 22.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

M.A. No. 230/2019 in O.A. St. No. 903/2019
(Shri Sadashiv M. Sawai V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Ashish Rajkar, learned Advocate holding for Shri A.D. Gadekar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

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

3. S.O. to 22.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 480 OF 2019
(Shri Ashok G. Puri V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1, 4 & 5 and Shri K.B. Jadhav, learned Advocate holding for Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 & 3.

2. Learned Advocate for respondent Nos. 2 and 3 has filed affidavit in reply on behalf of respondent Nos. 2, 3 & 6. Same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer has submitted that the affidavit in reply of respondent Nos. 1 & 4 is not necessary.

4. S.O. to 22.04.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 365 OF 2019
(Shri Nilesh W. Mahajan V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent No. 1. Shri V.G. Pingle, learned Advocate for respondent No. 2 (**Leave Note**).

2. In view of leave note filed by the learned Advocate for respondent No. 2, S.O. to 16.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 1102 OF 2019
(Shri Rajendra L. Patil & Ors. V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri A.S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, Shri S.D. Joshi, learned Advocate for respondent No. 8 and Shri K.B. Jadhav, learned Advocate holding for Smt. Poonam Mahajan, learned Advocate for respondent Nos. 3 to 6.

2. Learned Advocate for respondent No. 8 has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for respondent Nos. 4 to 6 has filed affidavit in reply on behalf of respondent No. 6. Same is taken on record and copy thereof has been served on the other side.

4. Learned Chief Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 to 3. Time granted as a most last chance.

5. S.O. to 09.03.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 117 OF 2020
(Shri Shivaji V. Kale V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri V.P. Kadam, 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 17.03.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

M.A. No. 567/2019 in O.A. St. 2091/2019
(Shri Baburao K. Kamble V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri Shakil U. Shaikh, 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, as a last chance, S.O. to 13.03.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 85 OF 2019
(Shri Mahadeo P. Ghuge V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Shri H.A. Joshi, learned Advocate for the applicant (**Absent**).

Heard Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 08.04.2020 for passing dismissal order.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

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

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Shri Shamsunder B. Patil, learned Advocate for the applicant (**Absent**).

Heard Shri D.R. Patil, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 13.04.2020 for passing dismissal order.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 528 OF 2019
(Dr. Kishor H. Kadam V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned C.P.O. seeks time for filing affidavit in reply on behalf of respondents. Time granted as a most last chance, failing which the heavy costs will be imposed on the respondents.

3. S.O. to 17.03.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 704 OF 2019
(Shri Vishwanath T. Yeslote V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Shri K.M. Nagarkar, learned Advocate for the applicant (**Absent**).

Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted as a most last chance.

3. S.O. to 09.03.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 892 OF 2019
(Shri Nagnath M. Shinde V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Presenting Officer has placed on record a copy of minutes of meeting. Same are taken on record.

3. Learned Presenting Officer is directed to produce entire record of transfer file of the applicant and to explain who were the Members of the Civil Services Board and as to whether the Members who attended the meeting signed the minutes of the meeting. She is also directed to explain as to whether Shri Sunil Patil, the Joint Secretary who has signed the minutes of the meeting, was Member of the Civil Service Board and if no in what capacity he signed on the minutes.

3. S.O. to 19.03.2020.

ACTING CHAIRMAN

ORIGINAL APPLICATION NO. 931 OF 2019
(Smt. Ashwini P. Kankute V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Advocate for the applicant has submitted that the applicant intends to add the District Civil Surgeon, Civil Hospital, Jalna as party respondent to the O.A. and therefore, he seeks leave this Tribunal to amend the O.A.

3. Leave as prayed for is granted. The applicant shall amend the O.A. forthwith.

4. After amendment, issue notice to the newly added respondent No. 3 i.e. the District Civil Surgeon, Jalna, returnable on 13.04.2020.

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 the case. Respondents are put to notice that the

//2// O.A. No. 931/2019

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. If notice is not collected within 7 days or proof of service is not produced before 3 days of the next date, case shall automatically stand dismissed without further reference to the Tribunal.

10. S.O. to 13.04.2020.

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

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 985 OF 2019
(Shri Suresh S. Chate V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Presenting Officer is directed to produce entire record regarding the impugned order of transfer of the applicant on the next date.

3. S.O. to 11.03.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 996 OF 2019
(Shri Sainath R. Thombre V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 4 and Shri V.B. Wagh, learned Advocate for respondent No. 5.

2. Learned Presenting Officer is directed to produce entire record regarding the impugned order of transfer of the applicant on the next date.

3. S.O. to 11.03.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 1031 OF 2019
(Shri Baswaraj M. Swami & Ors. V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Shri K.M. Nagarkar, learned Advocate for the applicant (**Absent**).

Heard Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 23.03.2020 for passing necessary order.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 1048 OF 2019
(Shri Ramchandra L. Kulkarni V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

Shri K.M. Nagarkar, learned Advocate for the applicant (**Absent**).

Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted as a last chance.

3. S.O. to 16.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 1070 OF 2019
(Shri Suryabhan B. Nagre V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 20.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 1090 OF 2019
(Shri Suresh B. Sonwane V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents. Time granted.

3. S.O. to 20.04.2020.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020

ORIGINAL APPLICATION NO. 947 OF 2017

(Smt. Sudhamati Manikrao Gaikwad V/s. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, ACTING CHAIRMAN

DATE : 02.03.2020

ORAL ORDER :

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

2. The applicant has filed the present Original Application and claimed following relief :-

“C) By issuing an appropriate order or directions to respondents, the respondents may kindly directed to decide representation and proposal for pension of the applicant and give her pensionary benefits as early as possible as per the Government decision and guidelines.”

3. On perusal of the record, it reveals that the applicant’s representation for processing pension papers has been decided by the respondents and the respondents directed the applicant to produce Caste Verification Certificate for forwarding her pension papers by the communication dated 05.04.2017. At present, no proposal / representation of the applicant is pending with the respondents. The applicant has not challenged the communication dated 05.04.2017 issued by the respondents, by which she was called

//2//

O.A. No. 947/2017

upon to produce document i.e. the Caste Verification Certificate. The applicant has not complied with the directions given by the respondents, which was required for processing her pension papers. It shows lapses on the part of the applicant to comply the directions given by the respondents in processing the pension papers. As on today no representation/proposal of the applicant is pending with the respondents and therefore, the directions as claimed by the applicant cannot be issued to the respondents. There is no merit in the Original Application. Consequently, the O.A. deserves to be dismissed.

4. In view of this, the O.A. stands dismissed with no order as to costs.

ACTING CHAIRMAN

KPB/ORAL ORDERS 02.03.2020