

**ORIGINAL APPLICATION NO. 600 OF 2021
(Subhash G. Dhutire Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri V.R Bhumkar, learned Presenting Officer for the respondents, are present.

2. Today, when the matter was taken for consideration, learned Presenting Officer has tendered across the bar a copy of communication dated 25.11.2021. Perusal of the said communication would reveal that as are directed by this Tribunal vide order dated 5.10.2021 the representation made by the applicant has been decided. The copy of the said communication is taken on record and marked as document 'X' for the purpose of identification.

3. Learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

4. S.O. to 7.01.2022.

MEMBER (J)

**M.A.NO. 154/2018 IN O.A.ST.NO. 576/2018
(Samta R. Lokhande Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri Y.P. Deshmukh, learned Advocate for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 & 2, present.

2. Despite due service of notice, the respondent No. 3 is neither present nor he has filed any affidavit in reply. Hence, the present case be proceeded without affidavit in reply of respondent No. 3.

3. S.O. to 11.1.2022 for hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**M.A.NO. 456/2018 IN O.A.ST.NO.1919/2018
(Lakshman K. Nirmal Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent No. 2 in M.A. No. 456/2018 and the same is taken on record and copy thereof has been served on the learned Advocate for the applicant.

3. In view of above, list the present case for hearing on the next date.

4. S.O. to 12.1.2022.

MEMBER (J)

**M.A. 123/2019 IN C.P.ST.302/2019 IN O.A.256/2011
(Jay S. Patole Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri A.D. Gadekar, learned Advocate for the applicant
and Shri B.S. Deokar, learned Presenting Officer for the
respondents, are present.

2. Since Division Bench is not available, S.O. to
13.01.2022 for hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**M.A.420/2019 WITH M.A. 415/2019 IN O.A. 723/2019
(Pallavi V. Ligade Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

S/Shri V.B. Wagh & K.G. Salunke, learned Advocates for the applicants in M.A. Nos. 420/2019 & 415/2019 respectively are absent. Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 & 2 and Shri Avinash S. Deshmukh, learned Advocate for the respondent Nos. 3 to 5 in M.A. No. 420/2019 (applicants in O.A.) are present.

2. S.O. to 14.01.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

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

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

DATE : 7.12.2021

ORAL ORDER :

Shri K.B. Borde, learned Advocate for the applicant
(**absent**). Shri M.P. Gude, learned Presenting Officer for the
respondents, present.

2. Since nobody appears for the applicant, S.O. to
17.01.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

C.P.NO. 27/2019 IN O.A.NO. 260/2017
(Bhagwat D. Bedke Vs. State of Maharashtra & Ors.)

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

DATE : 7.12.2021

ORAL ORDER :

Shri R.P. Bhumkar, learned Advocate for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri Vinod Joshi, learned Advocate for respondent No. 4, are present.

2. Since nobody appears for the applicant, S.O. to 17.01.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

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

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

DATE : 7.12.2021

ORAL ORDER :

Shri Dhananjay A. Mane, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Chief Presenting Officer sought time for filing affidavit in reply. Time granted as a last chance.
4. S.O. to 4.1.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

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

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

DATE : 7.12.2021

ORAL ORDER :

Shri Dhananjay A. Mane, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Chief Presenting Officer sought time for filing affidavit in reply. Time granted as a last chance.
4. S.O. to 4.1.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 100 OF 2021
(Manisha T. Gite Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri Dhananjay A. Mane, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 4.1.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 264 OF 2021
(Sapna Dilip Nikam Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri S.B. Solanke, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant sought time for filing rejoinder affidavit. Time granted.
4. S.O. to 3.1.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 282 OF 2021
(Seema S. Jaybhaye Vs. State of Maharashtra & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri S.B. Solanke, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

2. Learned Advocate for the applicant sought time for filing rejoinder affidavit. Time granted.
4. S.O. to 3.1.2022.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

M.A.NO. 40/2021 IN O.A.ST.NO. 30/2021
(Ashok M. Prakashkr Vs. State of Maharashtra & Ors.)

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

DATE : 7.12.2021

ORAL ORDER :

Shri Dhananjay A. Mane, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent Nos. 1 to 4, are present. Shri Sushil P. Pandit, learned Advocate for the respondent No. 5 (**absent**).

2. Since the Division Bench is not available, S.O. to 4.1.2022. In the meanwhile the respondents shall file affidavit in reply in M.A. No. 40/2021 for condonation of delay.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

O.A.NOS. 272 TO 283 ALL OF 2020
(Umesh L. Dargode & Ors. Vs. State of Maha. & Ors.)

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

DATE : 7.12.2021

ORAL ORDER :

Shri Vivek G. Pingle, learned Advocate for the applicants in all these cases and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 14.1.2022 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 663 OF 2017
(Subhash M. Pakhale Vs. State of Maha. & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

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

2. Since Division Bench is not available, S.O. to 12.1.2022 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 30 OF 2018
(Rohini S. Deokar Vs. State of Maha. & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant
(**absent**). Shri B.S. Deokar, learned Presenting Officer for
the respondents, are present.

2. Since Division Bench is not available, S.O. to
6.1.2022 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 107 OF 2019
(Manjusha E. Kute (Khade) Vs. State of Maha. & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 4, are present. Shri V.B. Wagh, learned Advocate for respondent No. 5 (**absent**).

2. Since Division Bench is not available, S.O. to 6.1.2022 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

O.A.NOS. 147 & 148 ALL OF 2018
(Dashrath G. Shinde & Anr. Vs. State of Maha. & Ors.)

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

DATE : 7.12.2021

ORAL ORDER :

Shri Nagesh G. Talekar, learned Advocate for the applicants in both these cases and Shri I.S. Thorat, learned Presenting Officer for the respondents in both these cases, are present.

2. Since Division Bench is not available, S.O. to 4.1.2022 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 406 OF 2018
(Arun S. Gosavi Vs. State of Maha. & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri V.B. Wagh, learned Advocate for the applicant
(**absent**). Shri I.S. Thorat, learned Presenting Officer for the
respondents, are present.

2. Since Division Bench is not available and since
nobody appears for the applicant, S.O. to 7.1.2022 for final
hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 443 OF 2018
(Jagannath W. Vispute Vs. State of Maha. & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri M.R. Wagh, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 13.1.2022 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**ORIGINAL APPLICATION NO. 813 OF 2018
(Robinson R. Masih Vs. State of Maha. & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri N.B. Narwade, learned Advocate for the applicant and Shri V.R Bhumkar, learned Presenting Officer for the respondents, are present.

2. Since Division Bench is not available, S.O. to 21.12.2021 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

**O.A.NO. 829/2019 WITH O.A.NO. 96/2020
(Kiran Pranav Prabhakar Kolte & Anr. Vs. State of Maha.
& Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Ms. Angha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicants in all these cases and S/Shri M.S. Mahajan & I.S. Thorat, learned Chief Presenting Officer & learned Presenting Officer for the respective respondents in respective cases, are present.

2. Since Division Bench is not available, S.O. to 14.1.2022 for final hearing.

MEMBER (J)

ORAL ORDERS 7.12.2021-HDD

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

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

DATE : 07.12.2021

ORAL ORDER :

Shri M.V. Thorat, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Await service of notices on the respondents.
3. S.O. to 24.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 954 OF 2019
(Rameshwar R. Chandak Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

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

2. Record shows that the affidavit in reply on behalf of respondent Nos. 1 to 3 is filed.
3. At the request of learned Advocate for the applicant, S.O. to 24.01.2022 for filing rejoinder affidavit.

MEMBER (J)

**ORIGINAL APPLICATION NO. 669 OF 2021
(Umrao U. Bangar Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Shri R.K. Jadhvar, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent No. 1.

2. Learned Advocate Shri S.B. Mene, has filed **VAKIL PATRA** on behalf of respondent Nos. 2 to 4. Same is taken on record.

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

4. S.O. to 24.01.2022.

MEMBER (J)

**M.A. No. 454/2018 in O.A. St. No. 1906/2018
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Heard Smt. Suchita A. Dhongde, 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 24.01.2022.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

**M.A. No. 348/2019 in O.A. St. No. 1436/2019
(Laxmibai U. Potdar Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri S.P. Dhoble, learned Advocate holding for Shri A.V. Patil (Indrale), 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 20.01.2022.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

**M.A. No. 620/2019 in O.A. St. No. 2355/2019
(Sumedh D. Waghmare Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Shri A.D. Gawale, 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 21.01.2022.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

**M.A. No. 137/2020 in O.A. St. No. 46/2020
(Sagar A. Zinjurde Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri L.V. Sangit, 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 for the respondents, S.O. to 21.01.2022 for filing affidavit in reply in M.A.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

**M.A. No. 302/2020 in O.A. St. No. 968/2020
(Raosaheb S. Kshirsagar Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Shri N.J. Patil, learned Advocate for the applicant (**Absent**). Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 2 to 6 in M.A. Same is taken on record.

3. S.O. to 24.01.2022.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

**M.A. No. 325/2020 in O.A. St. No. 332/2020
(Vilas S. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

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

2. Learned Presenting Officer filed affidavit in reply on behalf of respondent Nos. 1 to 3 in M.A. Same is taken on record.
3. S.O. to 18.01.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 148 OF 2020
(Gorakhnath J. Bhalerao Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

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

2. The present matter is already part heard.

3. By consent of both the parties, S.O. to 15.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 255 OF 2019
(Subhash D. Thale Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri P.B. Salunke, learned Advocate holding for Shri V.G. Salgare, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 23.12.2021 for filing affidavit in reply of respondent Nos. 1, 3 & 4.

MEMBER (J)

ORIGINAL APPLICATION NO. 302 OF 2020
(Rajesh M. Choudhary Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 24.01.2022 for hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 317 OF 2020
(Emam N. Mirza Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 24.01.2022 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 476 OF 2020
(Laxmikant V. Deshpande Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

Heard Smt. Priya R. Bharaswadkar, learned Advocate holding for Shri R.N. Bharaswadkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, 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 18.01.2022 for filing rejoinder affidavit, if any.

MEMBER (J)

ORIGINAL APPLICATION NO. 209 OF 2021
(Sayyed Soukatali Sabirali Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri H.M. Shaikh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 14.01.2022 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 766 OF 2016
(Rambhau T. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 4. Smt. Sunita D. Shelke, learned Advocate for respondent Nos. 2 & 3, **absent**.

2. By consent of both the parties, S.O. to 24.01.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 591 OF 2018
(Purushottam N. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 18.01.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 37 OF 2019
(Chandrasen K. Bahure Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 18.01.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1087 OF 2019
(Ravindra B. Chobe Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 20.01.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1101 OF 2019
(Maruti I. Govindwar Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 18.01.2022 for final hearing.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1106 OF 2019
(Sanjay R. Koli Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri S.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 18.01.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 520 OF 2020

(Mutazabaddin Abdul Waheb Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

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

2. By consent of both the parties, S.O. to 19.01.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

**ORIGINAL APPLICATION NO. 152 OF 2020
(Vishnu S. Misal Vs. State of Maharashtra & Ors.)**

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

DATE : 07.12.2021

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. By consent of both the parties, S.O. to 19.01.2022 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 116 OF 2017
(Dr. Dhanraj W. Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

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

2. S.O. to 24.01.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

**O.A. Nos. 379, 408, 536, 537, 538, 539, 550, 551
and 704 all of 2018**
(Dr. Kanchan T. Bhorge & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicants in all these O.As. and Shri M.P. Gude, learned Presenting Officer for the respondents in all these O.As..

2. By consent of both the parties, S.O. to 24.01.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 07.12.2021

O.A. Nos. 966, 967, 968, 969, 970, 971, 972, 974, 975, 976, 977, 978, 979 all of 2019 and O.A. No. 537/2020

(Prakash V. Deshpande and Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

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

2. As per the Circular No. MAT/MUM/ESTT/732/2021, dated 25/28.05.2021 issued by the Hon'ble Chairperson of the Maharashtra Administrative Tribunal, Mumbai, the matters regarding time bound promotion and ACPS are to be dealt with by the Division Bench. The present matters are pertaining to benefit of time bound promotion.

3. In view of the same, the present matters be placed before the Division Bench for further hearing.

4. S.O. to 18.01.2022.

MEMBER (J)

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

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

DATE : 07.12.2021

ORAL ORDER :

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

2. The Original Application is filed seeking relief to quash and set aside the impugned order dated 25.11.2021 (Annex. 'A-1') issued by the respondent No.3 i.e. Deputy Conservator of Forest, Van Bhavan, Ahmednagar handing over the charge of the post of Range Forest Officer held by the applicant as well as additional charge held by him of Range Forest Officer, Pathardi to Dadasaheb Takaji Waghulkar, Range Forest Officer, Tisgaon on 25.11.2021.
3. Learned Advocate for the applicant submitted that the respondent No.3 who has issued this order is not empowered to issue it as he is neither appointing authority nor disciplinary authority of the applicant.
4. Perusal of the order does not show as to under which jurisdiction or power this impugned order is issued by the respondent No.3.

//2//

O.A.771/2021

5. Learned Advocate for the applicant submitted that the applicant is working on his present post till today and has not handed over the charge.
6. Learned C.P.O. for the respondents submits that he would seek necessary instructions and communicate the status report in this regard and therefore, he seeks short adjournment.
7. In view of same, S.O. to 10.12.2021.

MEMBER (J)

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

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

DATE : 07.12.2021

ORAL ORDER :

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

2. The Original Application is filed challenging the impugned order of transfer of the applicant dated 19.11.2021 (Annex. 'L') thereby transferring the applicant from his present post of posting at Peth Police Station, Beed to Police Station, Bardapur

3. The Applicant is working on the post of Police Constable. He has been posted at Police Station, Peth, Beed vide order dated 11.09.2020 (Annexure 'F') whereby he was transferred from Police Head Quarter, Beed to Police Station, Peth, Beed.

4. The learned Advocate for the applicant seeks interim relief of stay to the order of impugned transfer stating that the impugned order is issued by the respondent No.2 i.e. Superintendent of Police, Beed without any authority. According to him as per

Section 22J-2 of Maharashtra Police Act power vested in Police Establishment Board.

5. Perusal of impugned order shows that in order to conduct enquiry pending against the applicant impartially, this order of transfer is issued temporarily on administrative ground.

6. Learned Advocate for the applicant submits that though there is mention of some enquiry against the applicant, no any memo or notice is received by the applicant regarding any such contemplated disciplinary action. He further submits that the applicant is not yet relieved from his present post.

7. Learned P.O. for the respondents opposed the submissions made on behalf of the applicant and stated that the applicant has been transferred temporarily in order to conduct the enquiry pending against him impartially. He further submitted that he would seek necessary instructions and file affidavit-in-reply.

8. Considering the abovesaid facts on record, it is prima-facie evident that the impugned order of

transfer is not passed by the competent transferring authority as mentioned in Section 22J-2 of Maharashtra Police Act. This is midterm and mid-tenure transfer order. The impugned order does not disclose that the proper procedure for said transfer is followed before issuing the order.

9. In the circumstances, in my opinion, this is fit case to grant interim relief of stay to the execution and implementation of impugned order of transfer till filing of reply by the respondents. Hence, ordered accordingly.

10. Issue notice to the respondents, returnable on 14.01.2022.

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

12. 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//

O.A.773/2021

13. 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.

14. 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.

15. S.O. to 14.01.2022.

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

17. The present matter is placed on separate board.

MEMBER (J)

M.A.NO.370 OF 2021 IN O.A.NO.507 OF 2021
(Santoshkumar T. Naikwadi Vs. State of Maharashtra & Ors.)

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

DATE : 07.12.2021

ORAL ORDER :

Heard Shri S.S. Manale, learned Advocate for the applicant/ respondent No.4 in O.A., Shri M.P. Gude, learned Presenting Officer for the respondent Nos.2 & 3 and Shri A.S. Deshmukh, learned Advocate for the respondent No.1/applicant in O.A. Nobody is present on behalf of the respondent No.4 herein/respondent No.3 in O.A.

2. The Original Application is filed by the respondent No.1 herein challenging the impugned order of transfer of the original applicant as well as the respondent No.4 issued by the respondent No.1 dated 30.08.2021 (Annex. 'A-6' and 'A-7 in O.A.).

3. Record shows that interim relief of stay of the said impugned order of transfer dated 30.08.2021 (Annex. 'A-6' and 'A-7 in O.A.) is granted vide order dated 03.09.2021 and it is continued till today.

4. Record of the Original Application shows that affidavit-in-reply is already filed on behalf of the

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respondent Nos.1 & 2 jointly and respondent No.4 separately.

5. The Original Application is listed today for filing affidavit-in-rejoinder on behalf of the applicant.

6. Learned Advocate for the original applicant submits that the applicant does not wish to file affidavit-in-rejoinder. In view of same, the Original Application is ready for admission.

7. In the circumstances as above, the learned Advocate for the applicant (Original respondent No.4) submits that he does not wish to press the Misc. Application No.370/2021 further.

8. In view of same, the present Misc. Application No.370/2021 stands disposed of being not pressed.

9. As the pleadings in the O.A. are complete and the matter is pertaining to transfer, it is admitted and fixed for final hearing.

10. Learned P.O. to place on record minutes of meeting of Civil Services Board for facilitating the hearing of the matter.

//3//

11. S.O. to 14.01.2022. Interim relief granted earlier to continue till then.

SAS ORAL ORDERS 07.12.2021

MEMBER (J)

**ORIGINAL APPLICATION NO. 518/2021
(Asmita M. Kakan & Ors. Vs. State of Maha. & Ors.)**

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

DATE : **7.12.2021**

ORAL ORDER :

Shri A.V. Thombre, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 12.1.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 349/2021
(Anil C. Hugge & Ors. Vs. State of Maha. & Ors.)**

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

DATE : **7.12.2021**

ORAL ORDER :

Shri S.S. Momale, learned Advocate holding Shri R.K. Ashtekar, learned Advocate for the applicants and Shri D.R. Patil, learned Presenting Officer for the respondents, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent no. 3. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicants. He also seeks time for filing affidavit in reply on behalf of respondent no. 2. Time granted.

3. S.O. to 11.1.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 310/2021
(Gopinath B. Nalawade Vs. State of Maha. & Ors.)**

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

DATE : **7.12.2021**

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

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

3. S.O. to 16.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 267/2021
(Akshay V. Pardeshi Vs. State of Maha. & Ors.)**

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

DATE : **7.12.2021**

ORAL ORDER :

Shri S.B. Solanke, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 7.1.2022.

MEMBER (J)

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

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

DATE : **7.12.2021**

ORAL ORDER :

Shri S.B. Solanke, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.

2. Today, the learned Presenting Officer has tendered across the bar the letter dated 6.12.2021 received to him from the respondent no. 4 - the Director, Health Services, Pune, wherein it is written that copy of the present O.A. is not received to the said office. The grievance of the respondent no. 4 that the copy of the O.A. is not received, in fact, must have been made at the earliest i.e. on the date of first appearance itself and not after availing opportunities to file affidavit in reply.

3. The applicant to furnish the copy of present O.A. to the learned P.O. forthwith. The respondent no. 4 to file affidavit in reply by the next date. S.O. to 14.12.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 140/2020
(Shrikant K. Bhale Vs. State of Maha. & Ors.)**

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

DATE : **7.12.2021**

ORAL ORDER :

Shri H.A. Joshi, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, are present.

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

3. S.O. to 23.12.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 556/2019
(Dr. Shamkant D. Gawande Vs. State of Maha. & Ors.)

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

DATE : **7.12.2021**

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Umesh S. Mote, learned Advocate for respondent no. 4, are present.

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 11.1.2022.

MEMBER (J)

**O.A. NOS. 525, 526, 527, 715 OF 2018 AND O.A. NOS. 219, 220, 344, 345, 346 & 347 ALL OF 2019
(Dr. Sunita B. Patil & Ors. Vs. State of Maha. & Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri J.S. Deshmukh, learned Advocate for the applicants in all these cases and S/shri S.K. Shirse & B.S. Deokar, learned Presenting Officers for the respective respondents in respective cases.

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents in respective cases. Time granted.

3. S.O. to 21.12.2021.

MEMBER (J)

ARJ ORAL ORDERS 7.12.2021

ORIGINAL APPLICATION NO. 800/2018
(Dr. Kirankumar L. Bondar Vs. State of Maha. & Ors.)

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

DATE : **7.12.2021**

ORAL ORDER :

Shri V.M. Chate, learned Advocate for the applicant (**absent**). Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. It appears from the record that though sufficient time has been granted to the applicant for filing rejoinder affidavit, till today the same is not filed.

3. In the circumstances, S.O. to 17.1.2022 for hearing at the admission stage.

MEMBER (J)

**ORIGINAL APPLICATION NO. 592/2018
(Nilesh B. Pardeshi Vs. State of Maha. & Ors.)**

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

DATE : **7.12.2021**

ORAL ORDER :

None appears for the applicant. Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 & 2, is present. Shri R.S. Patil, learned Advocate for respondent no. 3 (**absent**). None appears for respondent no. 4, though duly served.

2. Learned Presenting Officer has sought time for filing affidavit in reply of respondent no. 1. Time granted.

3. S.O. to 14.1.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO. 577/2017
(Ramesh G. Chaudhari Vs. State of Maha. & Ors.)**

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

DATE : **7.12.2021**

ORAL ORDER :

Shri A.G. Ambetkar, learned Advocate for the applicant (**absent**). Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 & 2 and Shri Avinash S. Deshmukh, learned Advocate for respondent no. 3, are present.

2. It reveals from the record that rejoinder affidavit is not filed by the applicant.

3. S.O. to 13.1.2022 for hearing at the stage of admission.

MEMBER (J)

**ORIGINAL APPLICATION NO. 132/2016
(Mandabai Wd/o Govind Thakur Vs. State of Maha. &
Ors.)**

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

DATE : 7.12.2021

ORAL ORDER :

Shri A.S. Golegaonkar, learned Advocate for the applicant (**absent**). Shri I.S. Thorat, learned Presenting Officer for the respondents, is present.

2. Learned Presenting Officer submits that the respondent nos. 2 & 3 have filed their affidavit in reply in the present case. Rejoinder is not filed by the applicant.

3. S.O. to 14.1.2022 for hearing at the stage of admission.

MEMBER (J)

DATE : 07.12.2021

**M.A. No. 387/2021 in O.A. St. No. 1673/2021
(Nilesh V. Sapkale Vs. The State of Maharashtra & Ors.)**

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

1. Shri M.K. Bhosale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 10.01.2022. The case be listed for admission hearing on **10.01.2022.**
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