

**ORIGINAL APPLICATION NO. 778/2023
WITH M.A. NO. 04/2024, 467/2023, 404/2023,
395/2023 AND 396/2023
(Vitthal G. Shinde & Ors. Vs. State of Mah. & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities, Shri G.D. Darandale, learned counsel for respondent nos. 7, 12, 24 & 32, Shri J.B. Choudhary, learned counsel for respondent nos. 8, 28 & 36, Shri A.S. Khedkar, learned counsel for respondent nos. 18 & 38. None for respondent no. 29.

2. Respective learned counsel have filed separate affidavit in replies on behalf of respondent no. 8, 19, 29, 28, 36 and 39. Same are taken on record and copies thereof are supplied to other side.

3. This matter has been argued time to time. Respondents, who have appeared in the matter are persuading their request for vacating the interim

stay granted by this Tribunal restraining the M.P.S.C. from considering their candidature for appointment. The issue as has been raised in the present matter, which we have clarified in the interim order previously passed, is that 'whether the candidates, who have availed the benefit of age relaxation, as well as, fees concession based on their respective caste whether can be selected against the open seats even though they may be holding meritorious position'.

4. In the arguments it has been argued that insofar as availment of concession in fees is concerned, the candidates, who have availed benefit, may not be blamed. It is the contention that while filling online application it was mandatory for every candidate to note his caste in the respective column. It is their further contention that, the moment the candidate mentioned his caste and if he was belonging to reserved class, fees structure used to be automatically displaced applicable to his caste. It is commonly argued that availment of fees concession may not be a material issue since that

concession has not been intentionally availed by these candidates, but it was by default.

5. Shri Avinash Deshmukh, learned counsel for the applicants has however brought to our notice that the candidate, though belonging to reserved class, if had applied for Open seat, even after mentioning his caste in the respective column, he was required to pay fees to be paid by the Open candidate. Learned counsel argued that in this regard only the M.P.S.C. can make any authentic statement.

6. In the circumstances, learned Chief Presenting Officer is directed to file affidavit of the competent person from the M.P.S.C. to clarify :

‘whether it is correct or otherwise that the amount of fees used to be displayed as applicable to the respective caste mentioned by the applicant in the application form by default?’ and if yes, ‘whether such candidate could have paid the fees payable by the ‘Open Class Candidate?’

7. Learned C.P.O. made a statement that within 02 days he will submit the particulars as about the candidates, who have availed the benefit and who have not availed the benefit, who are party before this Tribunal and ensure that affidavit as directed by the Tribunal will also be filed. In the circumstances, the present matter is adjourned to 11.1.2023.

8. S.O. to 11.1.2023.

9. The interim relief granted earlier to continue till then.

10. Steno copy allowed for the use of learned Chief Presenting Officer.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 04/2024 IN O.A. NO. 778/2023
(Pratik B. Deshmukh & Ors. Vs. State of Mah. & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri A.S. Khedkar, learned counsel for the applicants in the present M.A., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri Avinash S. Deshmukh, learned counsel for applicants in O.A.

2. Names of the applicants in the present Misc. Application are included in the first list annexed with the Original Application, as well as, to the interim relief application. In view of the fact that the applicants have interest in the subject matter, the Misc. Application is allowed. The necessary amendment be carried out within 02 days.

MEMBER (A)

VICE CHAIRMAN

M.A. NO. 09/2024 IN O.A. ST. NO. 47/2024
(Nagsen s/o Kondiba Sarje & Ors. Vs. State of Mah. & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri Y.R. Barhate, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION ST. NO. 47/2024
(Nagsen s/o Kondiba Sarje & Ors. Vs. State of Mah. & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri Y.R. Barhate, learned counsel for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities.

2. Issue notice to the respondents, returnable on 11.1.2024.

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

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

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

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

7. S.O. to 11.1.2024.

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

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 1117 OF 2023
(Sitaram N. Borhade Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri A.B. Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 20.03.2024.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

**M.A.NO. 06 OF 2024 IN O.A.ST.NO. 3133 OF 2022
(Girju D. Jagtap Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 16.01.2024.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 21 OF 2024
(Rameswar B. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri H.P. Jadhav, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. It appears that in view of Crime No. 386/2016 for the offence punishable under Section 302, 325, 324, 120 (b), r/w. 34 of IPC, the departmental enquiry was initiated against the applicant and finally the applicant was ordered to be removed from the service. Being aggrieved by the same, the applicant has preferred the departmental appeal. The first departmental appellate authority has confirmed the order, however, during pendency of the second departmental appeal, the applicant came to be acquitted by the Sessions Court, Jalna by judgment and order dated 25.02.2019 in Sessions Case No. 212/2016 and in consequence thereof the respondent No.2 has partly allowed the said appeal and reduced the said major punishment and converted in to the minor punishment of recovery of Rs. 5,000/- p.m. for the period of one year from the

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O.A. 21/2024

pensionary benefits of the applicant. The applicant has thus approached to this Tribunal by filing the O.A.

3. Learned counsel for the applicant submits that even though the applicant came to be acquitted and in connection with the aforesaid crime, the department has not bothered to give the provisional pension to the applicant in terms of Rule 130 of Maharashtra Civil Services (Pension) Rules, 1982. Learned counsel for the applicant thus seeking interim relief in the form of direction to the respondent authorities to release the provisional pension of the applicant.

4. In view of above submissions and in terms of provision of Rule 130 of Maharashtra Civil Services (Pension) Rules, 1982, the applicant is entitled for the provisional pension. Hence, the following order:-

ORDER

- (i) Interim relief in terms of prayer clause 'C' is granted to the extent of provisional pension only.

//3// O.A. 21/2024

- (ii) Issue notice to respondents, returnable on 13.03.2024.
- (iii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
- (iv) 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.
- (v) 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.
- (vi) 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.

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- (vii) Learned P.O. appears for all the respondents and seeks time to take instructions.
- (viii) S.O. to 13.03.2024.
- (ix) Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION ST.NO. 2459 OF 2023
(Mayuresh Manikrao Kendre Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri S.S. Tandale, learned counsel holding for Shri B.R. Kedar, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. The applicant has not filed any departmental appeal before the higher authority. However, in view clause 1 (i) of G.R. dated 09.07.2019 and in view of settled view, the respondent authority who has passed the suspension order has not reviewed the order or passed any speaking order.

3. Learned counsel for the applicant has pointed out that till this date no departmental enquiry has been initiated.

4. In view of above, issue notice to respondents, returnable on 28.02.2024.

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

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O.A.St.2459/2023

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 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. Learned C.P.O. appears for all the respondents and seeks time to take instructions.
10. S.O. to 28.02.2024.
11. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

**ORIGINAL APPLICATION ST.NO. 02 OF 2024
(Shankar C. Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

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

2. In view of objection raised by the office, learned counsel for the applicant seeks time to file application seeking condonation of delay. Time granted.

3. S.O. to 30.01.2024 for filing delay condonation application.

MEMBER (J)

ORIGINAL APPLICATION NO. 303 OF 2014
(Prakash N. Shrivastav Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. Part heard.

3. Learned counsel for the applicant submits that the applicant came to be appointed from the Open category. However, in the affidavit in reply filed on behalf of respondent Nos. 1 to 3 in paragraph No.5 the specific stand has been taken that as per the entry of the first page of service book available with the office, the applicant's appointment was made against the O.B.C. category.

4. Learned counsel for the applicant submits that as against the Time Bound Promotion the applicant had approached to this Tribunal by filing the Original Application No. 406/2015 wherein the same respondents have filed the affidavit in reply accepting therein that the applicant was appointed from Open category.

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O.A.303/2014

5. In view of same, learned counsel for the applicant seeks time to file the certified copy of the said affidavit in reply filed by the same respondents in O.A.No. 406/2015 along with the copy of said O.A.

6. Learned P.O. also seeks time to take specific instructions in this regard and make appropriate submissions on the next date of hearing.

7. In view of above submissions, S.O. to 23.01.2024 for further hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 822 OF 2018
(Virendra Pundalikrao Dhivare Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri A.D. Sugdare, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions from the applicant who is present in person before the Tribunal seeks leave to withdraw the present Original Application.

3. The other side has no objection for it.

4. In view of same, the present Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 819 OF 2019
(Kalim Safdar Shiklida vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Smt. Suchita Dhongde, learned counsel holding for Smt. Sabahat T. Kazi, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. The present matter is already part heard.

3. At the request of learned P.O., S.O. to 30.01.2024 as a last chance for taking instructions.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

**M.A.NO. 534 OF 2019 IN O.A.ST.NO. 2024 OF 2019
(Subhash B. Selukar & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

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

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

3. List the matter for hearing on 29.01.2024.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

**M.A.NO. 492 OF 2023 IN O.A.NO. 917 OF 2022
(Santosh P. Madane Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

Shri A.R. Kawade, learned counsel holding for Shri C.R. Thorat, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 23.01.2024.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 895 OF 2018
(Murlidhar E. Sakhare & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

Shri A.D. Gadekar, learned counsel for the respondent Nos. 2 & 4 and Shri S.B. Mene, learned Special Counsel for respondents, are **absent**.

2. At the request of learned counsel for the applicants, S.O. to 22.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 376 OF 2022
(Priyanka S. Bansode Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicant, S.O. to 20.03.2024 for hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

**ORIGINAL APPLICATION NO. 596 OF 2023
(Dattu R. Sonawane Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

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

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

3. S.O. to 13.03.2024 for filing affidavit in rejoinder/for hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 690 OF 2023
(Chandrasekhar A. Kamble Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

**ORIGINAL APPLICATION NO. 691 OF 2023
(Shivaji P. Gurav Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 22.02.2024 for hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 832 OF 2017
(Ramkrishna K. Mhaske & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicants, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 773 OF 2018
(Shivaji B. Satote Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

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

Shri S.B. Mene, learned counsel for respondent No.2, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 894 OF 2018
(Shivaji B. Satote Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

Shri S.B. Mene, learned counsel for respondent Nos. 3 & 4, is **absent**.

2. At the request of learned counsel for the applicant, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 896 OF 2018
(Madhukar D. Madarase & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

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

2. At the request of learned counsel for the applicants, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 102 OF 2019
(Vishvas S. Thore Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

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

Shri S.D. Dhongde, learned counsel for respondent Nos. 2 & 3 has filed a **leave note**.

2. At the request of learned counsel for the applicant, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 416 OF 2019
(Arjun M. Maskar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri G.R. Bhumkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

Shri S.D. Dhongde, learned counsel for respondent Nos. 2 & 3 has filed a **leave note**.

2. At the request of learned counsel for the applicants, S.O. to 22.02.2024 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 157 OF 2022
(Ravindra P. Bahadare Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri A.B. Rajkar, learned counsel holding for Shri S.D. Joshi, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned counsel for the applicant, S.O. to 20.03.2024 for final hearing.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

**ORIGINAL APPLICATION NO. 833 OF 2021
(Deepali Y. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

Shri D.B. Thoke, learned counsel for the applicant, is **absent**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities and Shri R.A. Joshi, learned counsel for respondent No.4, are present.

2. Learned counsel for respondent No.4 seeks time to file affidavit in reply. Time granted.

3. S.O. to 13.03.2024.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

**ORIGINAL APPLICATION NO. 100 OF 2023
(Rajendra P. Sanap Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

Shri V.S. Kadam, learned counsel for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned P.O., time granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 16.01.2024.

MEMBER (J)

ORAL ORDER 09.01.2024 sas

ORIGINAL APPLICATION NO. 974 OF 2023
(Afsar Khan Samsheer Khan Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

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

2. Learned P.O. on instructions submits that the affidavit in reply on behalf of respondent Nos. 2 & 3 will be filed during course of the day. However, learned P.O. seeks time to file affidavit in reply on behalf of respondent No.4.

3. Time granted.

4. S.O. to 19.03.2024.

MEMBER (J)

ORIGINAL APPLICATION NO. 975 OF 2023
(Ranjikumar P. Katke Vs. State of Maharashtra & Ors.)

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

DATE : 09.01.2024

ORAL ORDER :

Shri S.B. Patil, learned counsel for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Smt. Archana Therokar, learned counsel holding for Shri V.B. Wagh, learned counsel for the respondent No.4, are present.

2. Learned P.O. submits the affidavit in reply on behalf of respondent Nos. 1 to 3 and learned counsel for the respondent No.4 submits the affidavit in reply on behalf of said respondent. The same are taken on record and copies thereof are given to learned counsel for the applicant.

3. Pleadings are completed. List the matter for admission hearing on 23.02.2024. In the meanwhile it would be open for the applicant to file affidavit in rejoinder, if so desires.

MEMBER (J)

**ORIGINAL APPLICATION NO. 1036 OF 2023
(Vishwas R. Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

Heard Shri O.D. Mane, learned counsel for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. Learned counsel for the applicant on instructions from the applicant seeks leave to withdraw the present Original Application for the reason that in view of ensuing Loksabha Election, the applicant has been transferred out of District.

3. The other side has no objection for it.

4. In view of submission made on behalf of applicant, the Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

**M.A.NO. 167 OF 2022 IN O.A.ST.NO. 553 OF 2022
(Agatrao N. Kolekar Vs. State of Maharashtra & Ors.)**

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

DATE : 09.01.2024

ORAL ORDER :

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

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

3. S.O. to 23.01.2024.

MEMBER (J)

ORAL ORDER 09.01.2024 sas