

ORIGINAL APPLICATION NO.347/2020
(Jitendra Raipure Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 15.10.2020.

ORAL ORDER :

Smt. Asha N. Gore learned Advocate for the applicant is **absent**. Shri M.S.Mahajan learned Chief Presenting Officer for the respondents is present.

2. None appears for the applicant.

3. S.O. to 23-11-2020.

VICE CHAIRMAN

YUK ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO.396/2020
(Somnath Waghchaure Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 15.10.2020.

ORAL ORDER :

Heard Shri A.S.Deshmukh learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the respondents and Shri V.H.Dighe learned Advocate holding for Shri V.B.Wagh learned Advocate for respondent no.4.

2. Learned Advocate for the Applicant on instructions submits that the Applicant does not want to proceed with the O.A. and he wants to withdraw the same. Therefore, he sought leave of this Tribunal to withdraw the O.A.

3. Learned C.P.O. for the Respondents has prayed to pass the necessary order.

4. In view of the submission of the learned Advocate for the Applicant, leave as prayed for is granted. The Original Application is disposed of as withdrawn with no order as to costs.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.429/2020
(Hanumant Bhapkar Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 15.10.2020.

ORAL ORDER :

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

2. The applicant has filed this application seeking limited relief, which is as under:

“B) By issue of an appropriate order or direction, the respondent no.1 and 2, may kindly be directed to decide application dated 05/06/2020 and 04/10/2020 filed by applicant within period of seven days. .”

3. Learned Advocate for the applicant submitted that since the applicant has prayed for limited relief, it will be just and proper to direct the respondents to decide the representations dated 05-06-2020 and 04-10-2020 within stipulated time. With these directions, O.A. may be disposed of

4. Learned CPO submits that the O.A. may be disposed of by giving reasonable time to the

=2=

O.A.No.429/2020

respondents to decide the representations filed by the applicant.

5. In view of the submissions of the learned Advocate for the applicant as well as the learned CPO, O.A. stands disposed of with directions to the respondent nos.1 and 2 to decide the representations filed by the applicant dated 05-06-2020 and 04-10-2020 within a period of 1 month from today on merit as per rules. There shall be no order as to costs.

VICE CHAIRMAN

YUK ORAL ORDERS 15.10.2020

M.A.NO.18/2020 IN O.A.NO.81/2018
(Sayyad Wali Abdul Khadar Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 15.10.2020

ORAL ORDER :

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

2. Learned C.P.O. for the Respondents seeks time to file affidavit-in-reply in the Misc. Application. Time granted.

3. S.O. to 23.11.2020.

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO. 415/2020
(Vishal S. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

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

2. Learned Advocate for the Applicant has produced the copy of communication dated 09.10.2020. The same is taken on record and marked as 'X' for the purpose of identification.

3. Learned C.P.O. for the Respondents sought time to take instructions from the Respondents. Time granted.

4. S.O. to 19.10.2020.

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO. 416/2020
(Sharad S. Mulagir Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned Advocate holding for Shri Suhas P. Shirsat, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the Applicant has produced the copy of communication dated 09.10.2020. The same is taken on record and marked as 'X' for the purpose of identification.

3. Learned C.P.O. for the Respondents sought time to take instructions from the Respondents. Time granted.

4. S.O. to 19.10.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 417/2020
(Udhav T. Satpute Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

Heard Shri S.S. Jadhavar, learned Advocate holding for Shri Suhas P. Shirsat, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the Applicant has produced the copy of communication dated 09.10.2020. The same is taken on record and marked as 'X' for the purpose of identification.

3. Learned C.P.O. for the Respondents sought time to take instructions from the Respondents. Time granted.

4. S.O. to 19.10.2020.

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO. 422/2020
(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

Heard Shri S.R. Shirsat, learned Advocate holding for Shri Sandeep D. Munde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 23.11.2020.

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.

//2//

O.A. No. 422/2020

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 23.11.2020.

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

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO.426/2020
(Sunil S. Pagare Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

Heard Shri Avinash S. 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 submitted that the similarly situated person approached the Hon'ble High Court by filing the Writ Petition No.6693/2020. The Hon'ble High Court has passed the order dated 30.09.2020 in that matter and directed the Respondents not to take adverse action against the Petitioner till 14.10.2020. He has further submitted that on 14.10.2020 the Hon'ble High Court extended the said relief till next date. He has submitted that the similar issue has been involved in the present matter and therefore, he has prayed to direct the Respondents not to take adverse action against the Applicant till next date.

3. Learned C.P.O. for the Respondents has submitted that he has no instructions from the Respondents and therefore, he seeks time to take instructions from the Respondents and to file the reply. Time granted.

//2//

O.A. No. 426/2020

4. In view of the above submission, the Respondents are directed not to take adverse action against the Applicant till next date.

5. In view of the above, issue notices to the respondents, returnable on 26.11.2020.

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

7. 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.

8. 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.

9. 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.

//3//

O.A. No.426/2020

10. S.O. to 26.11.2020. Till then, the Respondents are directed not to take adverse action against the Applicants on the basis of the impugned order.
11. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO.427/2020
(Rahul B. Chaudhare Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

Heard Shri Avinash S. 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 submitted that the similarly situated person approached the Hon'ble High Court by filing the Writ Petition No.6693/2020. The Hon'ble High Court has passed the order dated 30.09.2020 in that matter and directed the Respondents not to take adverse action against the Petitioner till 14.10.2020. He has further submitted that on 14.10.2020 the Hon'ble High Court extended the said relief till next date. He has submitted that the similar issue has been involved in the present matter and therefore, he has prayed to direct the Respondents not to take adverse action against the Applicant till next date.

3. Learned C.P.O. for the Respondents has submitted that he has no instructions from the Respondents and therefore, he seeks time to take instructions from the Respondents and to file the reply. Time granted.

//2//

O.A. No. 427/2020

4. In view of the above submission, the Respondents are directed not to take adverse action against the Applicant till next date.

5. In view of the above, issue notices to the respondents, returnable on 26.11.2020.

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

7. 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.

8. 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.

9. 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.

//3//

O.A. No. 427/2020

10. S.O. to 26.11.2020. Till then, the Respondents are directed not to take adverse action against the Applicants on the basis of the impugned order.
11. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO.428/2020
(Bandu S. Bontalwar Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

Heard Shri Avinash S. 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 submitted that the similarly situated person approached the Hon'ble High Court by filing the Writ Petition No.6693/2020. The Hon'ble High Court has passed the order dated 30.09.2020 in that matter and directed the Respondents not to take adverse action against the Petitioner till 14.10.2020. He has further submitted that on 14.10.2020 the Hon'ble High Court extended the said relief till next date. He has submitted that the similar issue has been involved in the present matter and therefore, he has prayed to direct the Respondents not to take adverse action against the Applicant till next date.

3. Learned C.P.O. for the Respondents has submitted that he has no instructions from the Respondents and therefore, he seeks time to take instructions from the Respondents and to file the reply. Time granted.

//2//

O.A. No. 428/2020

4. In view of the above submission, the Respondents are directed not to take adverse action against the Applicant till next date.

5. In view of the above, issue notices to the respondents, returnable on 26.11.2020.

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

7. 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.

8. 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.

9. 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.

//3//

O.A. No. 428/2020

10. S.O. to 26.11.2020. Till then, the Respondents are directed not to take adverse action against the Applicants on the basis of the impugned order.
11. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO.434/2020
(Mahesh D. Desai Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

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

2. Learned Advocate for the Applicant has submitted that the similarly situated person approached the Hon'ble High Court by filing the Writ Petition No.6693/2020. The Hon'ble High Court has passed the order dated 30.09.2020 in that matter and directed the Respondents not to take adverse action against the Petitioner till 14.10.2020. He has further submitted that on 14.10.2020 the Hon'ble High Court extended the said relief till next date. He has submitted that the similar issue has been involved in the present matter and therefore, he has prayed to direct the Respondents not to take adverse action against the Applicant till next date.

3. Learned C.P.O. for the Respondents has submitted that he has no instructions from the Respondents and therefore, he seeks time to take instructions from the Respondents and to file the reply. Time granted.

//2//

O.A. No. 434/2020

4. In view of the above submission, the Respondents are directed not to take adverse action against the Applicant till next date.

5. In view of the above, issue notices to the respondents, returnable on 26.11.2020.

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

7. 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.

8. 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.

9. 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.

//3//

O.A. No. 434/2020

10. S.O. to 26.11.2020. Till then, the Respondents are directed not to take adverse action against the Applicants on the basis of the impugned order.
11. Steno copy and Hamdast is allowed to both parties.

VICE CHAIRMAN

SAS ORAL ORDERS 15.10.2020

ORIGINAL APPLICATION NO.431/2020
(Purushottam G. Khule Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

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

2. Learned Advocate for the Applicant has submitted that the Applicant intends to amend the prayer clause 'B' and he wants to delete the prayer regarding the challenge to the communication dated 31.5.2019 as it is in the form of opinion. Therefore, he sought leave of this Tribunal to amend the O.A.

3. In view of the submission made by learned Advocate for the Applicant, leave as prayed for is granted.

4. The Applicant to amend the O.A. forthwith.

5. Learned C.P.O. for the Respondents sought time to take instructions from the Respondents. Time granted.

6. S.O. to 19.10.2020.

VICE CHAIRMAN

ORIGINAL APPLICATION NO.118/2020
(Ganesh A. Mundhe Vs. State of Maharashtra & Ors.)

CORAM : B. P. PATIL, VICE CHAIRMAN

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

DATE : 15.10.2020

ORAL ORDER :

Heard Shri S.R. Shirsat, learned Advocate holding for Shri S.S. Jadhavar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the Applicant on instructions received from the Applicant submits that the Applicant does not want to proceed with the O.A. and he wants to withdraw the same as his suspension has been revoked.

3. Learned P.O. for the Respondents has prayed to pass the necessary order.

4. In view of the submission made by learned Advocate for the Applicant, the Original Application is disposed of as withdrawn with no order as to costs.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 489 OF 2019
(Vinod R. Kandere Vs. State of Maharashtra & Ors.)**

CORAM : B. P. PATIL, VICE CHAIRMAN

DATE : 15.10.2020

ORAL ORDER :

Heard Ms. Sonali Satpute, learned Advocate holding for Shri J.M. Murkute, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It is submitted by the learned Advocate for the applicant that as per order dated 25.02.2020, she had collected the notice of respondent No. 2 from the office of this Tribunal on 27.02.2020 and personally served the same upon the respondent No. 2 on 03.03.2020 i.e. before returnable date. However, service affidavit in that respect could not be submitted on record due to lockdown on account of Corona Pandemic. Hence, she prayed for extension of time with permission to file service affidavit on record. Permission granted as prayed for by the learned Advocate for the applicant.

3. Service affidavit be accepted and taken on record.

4. S.O. to 25.11.2020.

VICE CHAIRMAN