

**ORIGINAL APPLICATION NO.426/2019  
(Kondbarao Birgad Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.G.Kulkarni learned Advocate for the Applicant and Shri N.U.Yadav learned Presenting Officer for the Respondents.

2. Learned Advocate on instructions received from the applicant states that the applicant does not want to proceed with the O.A. and he wants to withdraw the O.A. Therefore, he has prayed for leave to withdraw the O.A.

3. Learned P.O. prays for passing appropriate order in the circumstances.

4. As the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. O.A. stands disposed of as withdrawn with no order as to costs.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.322/2019  
(Pushkar Randhumal Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande learned Advocate for the Applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the Respondents.

2. At the request of learned Presenting Officer, S.O. to 31-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.658/2018  
(Raosaheb Bangar Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri R.R.Bangar learned Advocate for the Applicant, Smt. M.S.Patni learned Presenting Officer for the Respondents and Smt. Suchita Dhongde learned Advocate holding for Shri S.D.Dhongde learned Advocate for respondent no.2 & 3.

2. At the request of learned Advocate for respondent nos.2 and 3, S.O. to 04-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.939/2019  
(Rajendra Salvi Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Prafull Bodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the Applicant and Smt. Sanjivani Ghate learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply. Time is granted as a most last chance.
3. If reply is not filed on the next date heavy costs will be saddled on the respondents.
4. S.O. to 25-02-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**M.A.NO.273/2019 IN O.A.ST.NO.891/2019  
(Shaikh Abdul Gafur Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Ashish Rajkar learned Advocate for the Applicant and Smt. Sanjivani Ghate learned Presenting Officer for the Respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 24-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

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

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Ashish Rajkar learned Advocate holding for Shri R.P.Bhumkar learned Advocate for the Applicant and Shri B.S.Deokar learned Presenting Officer for the Respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.3 and 5. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 20-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.735/2019  
(Raghavendra Ghorpade Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri V.B.Wagh learned Advocate for the Applicant and Shri M.P.Gude learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondents. Time is granted as a most last chance.

3. S.O. to 16-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.851/2019**  
**(Ravindra Gite Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Ashish Rajkar 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 04-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020



**ORIGINAL APPLICATION NO.82/2020**  
**(Sharad Panchange Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri A.D.Gadekar learned Advocate for the Applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the Respondents.

2. Issue notices to the Respondents, returnable on 20.03.2020.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

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O.A.No.82/2020

the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. 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.

8. S.O. to 20.03.2020.

9. Steno copy and Hamdast is allowed.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.91/2020**  
**(Shyam Bhavsar Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde learned Advocate for the Applicant and Shri V.R.Bhumkar learned Presenting Officer for the Respondents.

2. Issue notices to the Respondents, returnable on 20.03.2020.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

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O.A.No.91/2020

the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. 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.

8. S.O. to 20.03.2020.

9. Steno copy and Hamdast is allowed.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.98/2020**  
**(Bhavana Patil Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the Applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the Respondents.

2. Issue notices to the Respondents, returnable on 23.03.2020.

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

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

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

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

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O.A.No.98/2020

the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. 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.

8. S.O. to 23.03.2020.

9. Steno copy and Hamdast is allowed.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.112/2019**  
**(Sheela Mohite Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.P.Dhoble learned Advocate for the Applicant and Shri V.R.Bhumkar learned Presenting Officer for the Respondents.

2. At the request of learned Presenting Officer, S.O. to 26-03-2020 to file reply on behalf of the respondents.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.334/2019**  
**(Goroba Aaradwad & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri B.B.Shinde learned Advocate for the Applicant and Smt. Deepali Deshpande learned Presenting Officer for the Respondents.

2. Learned P.O. has produced copy of communication received to her from Superintendent, Government Boys Children Home, Latur stating that reply of respondent nos.2 and 3 be treated as reply of respondent no.4. Same is taken on record.

3. Learned P.O. has submitted that in view of the said communication reply filed by respondent nos.2 & 3 be treated as reply of respondent no.4.

4. S.O. to 13-04-2020 for final hearing.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020



**ORIGINAL APPLICATION NO.584/2019  
(Balu Jambe Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.P.Dhoble learned Advocate for the Applicant and Smt. Deepali Deshpande learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant filed affidavit in rejoinder. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 13-04-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.712/2018  
(Sandipan Gavali Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri D.K.Rajput learned Advocate for the Applicant and Shri S.K.Shirse learned Presenting Officer for the Respondents.

2. Learned P.O. files communication dated 17-02-2020 and prays for adjournment. Adjournment is granted as a last chance.

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

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.716/2019  
(Bhaskar Rengade Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the Applicant and Shri I.S.Thorat learned Presenting Officer for the Respondents.

Shri A.D.Aghav learned Advocate for respondent no.2 is **absent**.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted as a last chance.

3. S.O. to 03-03-2020. Status quo granted earlier to continue till then.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.734/2019  
(Shamsundar Pande Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the Applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the Respondents.

2. Reply of respondent no.3 is already on record. Learned P.O. states that she does not want to file reply on behalf of respondent nos.1, 2 & 4.
3. S.O. to 08-04-2020 for filing rejoinder, if any.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.810/2018  
(Somnath Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Shri Yogesh H. Jadhav learned Advocate for the Applicant is **absent**. Smt. M.S.Patni learned Presenting Officer for the Respondents is present.

2. Pleadings are complete. Case is admitted. It be kept for final hearing.

3. S.O. to 24-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.878/2019  
(Yuvraj Gaikwad Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the Applicant and Shri B.S.Deokar learned Presenting Officer for the Respondents.

Shri S.B.Jadhav learned Advocate for respondent no.3 is **absent**.

2. Pleadings are complete. Case is admitted. It be kept for final hearing.

3. S.O. to 03-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.912/2019**  
**(Dr. Bharat Mundhe Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the Applicant and Shri S.K.Shirse learned Presenting Officer for the Respondents.

2. Learned Advocate on instructions received from the applicant states that the applicant does not want to proceed with the O.A. and he wants to withdraw the O.A. Therefore, he has prayed for leave to withdraw the O.A.

3. Learned P.O. prays for passing appropriate order in the circumstances.

4. As the applicant does not want to proceed with the O.A. and wants to withdraw the same, leave as prayed for is granted. O.A. stands disposed of as withdrawn with no order as to costs.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.982/2019  
(Govind Bharsakhale Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri K.G.Salunke learned Advocate for the Applicant and Shri S.K.Shirse learned Presenting Officer for the Respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 30-03-2020. Interim relief granted earlier to continue till then.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020



**ORIGINAL APPLICATION NO.1092/2019  
(Dhanaji Marakwad Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri C.R.Thorat learned Advocate for the Applicant and Shri V.R.Bhumkar learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Tim is granted.

3. S.O. to 11-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

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

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri M.S.Karad learned Advocate for the Applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the Respondents.

2. Shri A.S.Deshmukh, learned Advocate appeared and filed Vakalatnama on behalf of respondent no.5. It is taken on record.

3. Learned CPO as well as the learned Advocate for respondent no.5 seek time to file affidavit in reply. Time is granted.

4. S.O. to 17-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.08/2020  
(Arvind Kulkarni Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Girish N. Kulkarni learned Advocate for the Applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of respondent nos.2 and 3. Time is granted.

3. Learned Advocate for the applicant states that he will file service affidavit on record on the next date.

4. S.O. to 19-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**M.A.NO.165/2018 IN O.A.ST.NO.606/2018  
(Shital Banale Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.B.Solanke learned Advocate for the Applicant and Shri V.R.Bhumkar learned Presenting Officer for the Respondents.

2. Learned Advocate files a short affidavit on behalf of the applicant. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 30-03-2020 for hearing.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**M.A.NO.84/2019 IN O.A.NO.921/2018**

**M.A.NO.85/2019 IN O.A.NO.922/2018**

**M.A.NO.86/2019 IN O.A.NO.923/2018**

**M.A.NO.87/2019 IN O.A.NO.924/2018**

**(Shriram B. Jadhav & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Shri V.G.Salgare learned Advocate for the Applicants is **absent**. S/Shri V.R.Bhumkar, I.S.Thorat, S.K.Shirse and B.S.Deokar learned Presenting Officer for the Respondents in respective cases are present.

2. Learned P.Os. filed affidavits in reply on behalf of respondent nos.1 to 4 in respective cases. Those are taken on record. They undertook to serve copies of replies on the other side.

3. S.O. to 09-04-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.865/2019**  
**(Dr. Sanjay Puranik Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

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

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Prafull Bodade learned Advocate holding for Shri J.B.Choudhary learned Advocate for the Applicant and Shri I.S.Thorat learned Presenting Officer for the Respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side.

3. S.O. to 30-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**M.A.NO.621/2019 IN C.P.NO.47/2019 IN O.A.NO.364/2016  
(Rudrappa Lungare & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

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

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Ashish Rajkar learned Advocate holding for Shri R.P.Bhumkar learned Advocate for the Applicant and Smt. M.S.Patni learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 03-04-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**M.A.NO.561/2019 IN O.A.ST.NO.2250/2019**  
**(Ratish Manurkar Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

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

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande learned Advocate for the Applicant and Shri N.U.Yadav learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 27-03-2020 for filing affidavit in rejoinder.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020



**M.A.NO.406/2019 IN O.A.ST.NO.1553/2019  
(Rajesh Ahire & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

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

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.G.Kulkarni learned Advocate for the Applicant and Shri M.P.Gude learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 27-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.1020/2019  
(Deepak Patil Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

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

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.G.Kulkarni learned Advocate holding for Shri Ajay Deshpande learned Advocate for the Applicant and Smt. Deepali Deshpande learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.
3. S.O. to 27-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.913/2019**  
**(Shirish Deshmukh & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

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

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Kakasaheb B. Jadhav learned Advocate for the Applicant, Smt. Sanjivani Ghate learned Presenting Officer for the Respondent authorities, Shri V.B.Wagh learned Advocate for respondent no.7 to 19 and Shri S.B.Deshpande learned Advocate for respondent no.6.

2. Learned P.O. files affidavit in reply on behalf of respondent no.1. It is taken on record. Copy thereof has been served on the other side.

3. Learned P.O. as well as the learned Advocates for other respondents seek time to file affidavits in reply. Time is granted.

4. S.O. to 30-03-2020.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO.833/2019**  
**(Komal Rathod Vs. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN**

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

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri P.M.Nagargoje learned Advocate for the Applicant, Shri V.R.Bhumkar learned Presenting Officer for the Respondent nos.1 & 2 and Shri D.S.Pilgaonkar learned Advocate holding for Shri N.L.Choudhary learned Advocate for respondent no.3.

2. Learned Advocate for respondent no.3 states that he wants to adopt reply filed by respondent nos.1 and 2. Hence, the respondent no.3 has adopted reply filed by the respondent nos.1 and 2.

3. S.O. to 31-03-2020 for filing rejoinder, if any.

**ACTING CHAIRMAN**

YUK ORAL ORDER 18.02.2020

**M.A. No. 433/2019 in O.A. St. No. 1789/2019**  
**(Shri Samadhan B. Rathod V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**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. At the request of learned Advocate for the applicant, S.O. to 19.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**M.A. No. 501/2019 in O.A. St. No. 2020/2019**  
(Shri Vishwambhar V. Tidke V/s. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.R. Sapkal, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the M.A. and O.A., as he intends to challenge the order dated 06.09.2016. Therefore, he seeks leave of this Tribunal to withdraw the M.A. and O.A. with liberty to the applicant to approach this Tribunal challenging the order dated 06.09.2016.

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

4. Since the applicant does not want to proceed with the M.A. & O.A. and wants to withdraw the same, leave as prayed for is granted. The M.A. and O.A. is disposed of as withdrawn with liberty to the applicant to approach this Tribunal challenging the order dated 06.09.2016 subject to law of limitation. There shall be no order as to costs.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**M.A. No. 531/2019 in O.A. No. 542/2018**  
**(Shri Tukaram B. Chavan V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri A.D. Raut, learned Advocate for the Applicant, Shri N.U. Yadav, learned Presenting Officer for the Respondent Nos. 1 and 2 and Shri R.B. Ade, 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. S.O. to 16.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**M.A. No. 616/2019 in O.A. No. 806/2019**  
**(Shri Suresh V. Thorat V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the Respondents.

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

3. S.O. to 05.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020



**M.A. St. 82/20 in M.A. St. 99/20 in M.A. 340/19 in O.A. 324/2019  
(Shri Yogesh B. Bansode V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Shri M.V. Thorat, 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 13.03.2020 for passing dismissal order.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO. 15 OF 2017**  
**(Shri Subhash M. Sonwane V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Shri Sanjay Kolhare, learned Advocate for the Applicant (**Leave Note**).

Heard Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 13.04.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO. 743 OF 2018**  
**(Shri Bhimrao N. Kokate V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer has placed on record a copy of communication date 04.02.202 along with a copy of the order dated 04.02.2020. Same are taken on record and marked as document X collectively for the purposes of identification.

3. Learned Advocate for the applicant seeks time to take instruction from the applicant. Time granted.

4. S.O. to 25.02.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO. 887 OF 2018**  
(Dr. Sumant N. Wagh V/s. State of Maharashtra & Ors.)

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. At the request of learned Presenting Office for the respondents, S.O. to 09.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO. 846 OF 2019**  
**(Shri Ramesh H. Sapkal V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri M.U. Shelke, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. At the request of learned Chief Presenting Officer for the respondents, S.O. to 25.02.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020

**ORIGINAL APPLICATION NO. 105 OF 2020**  
**(Dr. Pranhans B. Kamble V/s. State of Maharashtra & Ors.)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri V.B. Wagh, 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 has been transferred from Nanded to Degloor by the impugned order dated 13.02.2020 in the midst of term in contraventions of the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "the Transfer Act 2005"). He has submitted that the applicant is suffering from Cancer and his daughter is taking education in 10<sup>th</sup> Std. and her examinations are scheduled on 26<sup>th</sup> February, 2020. He has submitted in view of this, the operation and execution of the impugned order dated 13.02.2020 may be stayed. He has submitted that the applicant is not yet relieved from the present post.

3. Learned Chief Presenting Officer has submitted that the impugned order has been issued as per the

provisions of Transfer Act, 2005. The process to relieve the applicant is going on and therefore, he has prayed to reject the interim relief as prayed for the applicant.

4. Prima-facie, it seems that the impugned order has been issued in contraventions of the provisions of the Transfer Act, 2005 and therefore, it is just and proper to stay the operation and execution of the impugned order of transfer till filing of the affidavit in reply by the respondents.

5. In view thereof, the operation and execution of the impugned order of transfer is stayed till filing of the affidavit in reply by the respondents.

6. Issue notices to the respondents, returnable on 23.03.2020.

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

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

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O.A.No. 105/2020

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.

9. 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.

10. 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.

11. 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.

12. S.O. to 23.03.2020.

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

**ACTING CHAIRMAN**



**ORIGINAL APPLICATION NO. 293 OF 2019**  
**(Shri Babasaheb S. Pagare 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 : 18.02.2020**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 30.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 360 OF 2019**  
**(Dr. Atul A. Deshmukh 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

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

3. S.O. to 27.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 409OF 2019**  
(Shri Hanumantrao B. Bhongale 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.B. Gorde, 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 30.03.2020 for filing rejoinder affidavit.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 501 OF 2019**  
**(Shri Kashinath G. Kadam 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri D.S. Bhapkar, learned Advocate holding for Shri Amol Gandhi, learned Advocate for the Applicant and 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.

3. S.O. to 08.04.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 542 OF 2019**  
**(Shri Krishna B. Joshi 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 : 18.02.2020**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned Advocate holding for Shri S.D. Dhongde, learned Advocate for the Applicant, Shri I.S. Thorat, learned Presenting Officer for the Respondent Nos. 1 to 3 and Shri P.R. Tandale, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, S.O. to 01.04.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 615 OF 2019**  
(Shri Shafi Kassimsab Shaikh 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri K.D. Mote, learned Advocate holding  
for Shri A.P. Avhad, learned Advocate for the Applicant  
and Shri I.S. Thorat, learned Presenting Officer for the  
Respondents.

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

3. S.O. to 31.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 668 OF 2019**  
**(Smt. Sonali D. Agrawal 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri D.S. Bhapkar, learned Advocate holding for Shri A.S. Dhanuka, 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 04.04.2020 for filing rejoinder affidavit.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 685 OF 2019**  
**(Shri Shivaji R. Thakare 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the Applicant and Shri S.K. Shirse, learned Presenting Officer for the Respondents.

2. The respondent No. 3 has already filed affidavit in reply on 03.02.2020.

3. S.O. to 31.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.



**ORIGINAL APPLICATION NO. 724 OF 2019**  
(Shri Kailas I. Khandagale and 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

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

3. S.O. to 27.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**O.A. No. 769, 770, 771 & 772 all of 2019**

(Shri Shaikh Imran Shaikh Saleem and 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 : 18.02.2020**

**ORAL ORDER :**

Heard Smt. Suchita Dhongde, learned Advocate holding for Shri Amit Dhongde, learned Advocate for the Applicants in all these O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents in all these O.As.

2. At the request of learned Presenting Officer, S.O. to 01.04.2020 for filing affidavit in reply on behalf of respondents in all these O.As.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 701 OF 2018**  
(Dr. Santosh N. Kotule and 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri G.M. Ghongde, learned Advocate holding for Shri S.G. Chapalgaonkar, learned Advocate for the Applicant, Shri B.S. Deokar, learned Presenting Officer for the Respondent Nos. 1 & 2, Shri U.P. Giri, learned Advocate for respondent No. 12. Shri V.V. Ingale, learned Advocate for respondent Nos. 5, 8, 19 & 22 (**Absent**).

2. Learned Presenting Officer and learned Advocate for respondent No. 12 seek time for filing affidavit in reply on behalf of respective respondents. Time granted as a last chance.

3. S.O. to 31.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 575 OF 2019**  
(Dr. Sachin D. Shekde and 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri S.C. Bhosale, learned Advocate for the Applicant and Smt. M.S. Patni, 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 31.03.2020.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 668 OF 2018**  
**(Smt. Sangita S. Telang V/s. State of Maharashtra & Ors.)**  
**(SPEAKING TO MINUTES)**

**CORAM : B. P. PATIL, ACTING CHAIRMAN**

**DATE : 18.02.2020**

**ORAL ORDER :**

Heard Shri D.B. Bhange, learned Advocate for the Applicant and Shri B.S. Deokar, learned Presenting Officer for the Respondents.

2. The applicant has filed the application for speaking to minutes regarding correction in the order dated 22.01.2020.

3. Learned Advocate for the applicant has submitted that in the order dated 22.01.2020 at Page Nos. 2, 4, 6, 10 & 11 the name of village "Padoli" has been incorrectly typed as "Dadoli" and at page No. 4 in para. No. 2 it has been mentioned the "respondent Nos. 3 & 4" instead of "respondent Nos. 4 & 5" in the line no. 5 from the bottom of para. Therefore, he has prayed to correct the said mistakes.

4. The above said mistakes have been occurred due to typographical mistake and oversight. Therefore, the said mistakes require to be corrected. Hence, in the order dated 22.01.2020 the name of village typed at Page Nos. 2, 4, 6, 10 & 11 be corrected as "Padoli"

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O.A. No. 668/2018

instead of “Dadoli” and in the line No. 5 from the bottom of para No. 2 at page No. 4 the “respondent Nos. 3 & 4” be corrected as “respondent Nos. 4 & 5”.

5. The Registry is directed to make the above said corrections in the order dated 22.01.2020 and to supply corrected copy to the parties.

**ACTING CHAIRMAN**

KPB/ORAL ORDER 18.02.2020.

**ORIGINAL APPLICATION NO. 289 OF 2018**  
**(Shri Suraj S. Patil & Ors. 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 : 18.02.2020.**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate holding for Shri Ganesh G. Mohekar, 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 applicants, S.O. to 31.03.2020 for filing rejoinder affidavit, if any.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**REV. 07/19 IN M.A. 530/19 IN O.A.ST.2098/19**  
**(Shri Bharat G. Raut 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 : 18.02.2020.**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer for  
the respondents, S.O. to 31.03.2020 for filing affidavit  
in reply.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD



**ORIGINAL APPLICATION NO. 01 OF 2019**  
**(Shri Laxman V. Bharde 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 : 18.02.2020.**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 11.03.2020 for filing rejoinder affidavit, if any.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**ORIGINAL APPLICATION NO. 11 OF 2020**  
**(Shri Magan B. Nikalje 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 : 18.02.2020**

**ORAL ORDER :**

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

2. On instructions, learned Advocate for the applicant has submitted that the applicant intends to approach this Tribunal by filing appropriate proceedings. Therefore, he seeks permission of this Tribunal to withdraw the present Original Application with liberty to approach this Tribunal by filing appropriate proceedings.

3. Learned Presenting Officer for the respondents has submitted that the necessary order may be passed.

4. In view of the aforesaid submissions made on behalf of both the parties, leave to withdraw the present Original Application with liberty to approach

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**O.A. NO. 11 OF 2020**

this Tribunal by filing appropriate proceeding is granted.

5. Accordingly, the present Original Application stands disposed of as withdrawn with liberty to the applicant to approach this Tribunal by filing appropriate proceeding.

**ACTING CHAIRMAN**

**C.P. 35/19 IN O.A.NO. 59/17 & OA 273/17**  
**(Shri Vishwanath B. Baswante & Ors. 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri V.P. Golewar, learned Advocate for  
the applicants and Shri N.U. Yadav, learned  
Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for  
the respondents, S.O. to 27.02.2020 for enabling him  
to take instructions from the respondents on the line  
of the order dated 12.12.2019.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**T.A. NO. 01/2020 (W.P. NO. 2057/2020)**  
**(Shri Vaibhav U. Gawali 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 : 18.02.2020**

**ORAL ORDER :**

Shri Shaikh Mazhar A. Jahagirdar, learned Advocate for the applicant (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondents, present.

2. Learned Presenting Officer has filed a copy of communication dated 17th February, 2020 received to him from the Deputy Secretary, Maharashtra Public Service Commission and the same is taken on record and marked as document 'X' for the purpose of identification.

3. On perusal of the aforesaid communication dated 17th February, 2020 it reveals that the respondents are going to call the applicant for oral interview. Therefore, they sought two weeks' time.

4. In view of the above, S.O. to 04.03.2020.

**ACTING CHAIRMAN**

**ORIGINAL APPLICATION NO. 96 OF 2020**  
**(Shri Kiran Prabhakar Kolte 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri Ajinkya Kale, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The applicant has challenged the impugned order dated 30.01.2020 cancelling his recommendation made by the Maharashtra Public Service Commission (for short "the Commission") for the appointment on the post of Assistant Motor Vehicle Inspector, issued by the Dy. Transport Commissioner, M.S. Mumbai, on the ground that he has not complied condition mentioned in paragraph Nos. 2.5 to 2.8 of the advertisement No. 48 of 2017 dated 01.07.2017. Learned Advocate for the applicant has submitted that the applicant has already been recommended by the Commission for appointment on the post of Assistant Motor Vehicle Inspector, but the respondents have wrongly rejected

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**O.A. NO. 96 OF 2020**

his selection on the ground that he has not complied with the condition Nos. 2.5 to 2.8 contained in the advertisement dated 01.07.2017. Learned Advocate for the applicant has submitted that the applicant has already complied with aforesaid conditions and has submitted Sports Certificate and Certificate of Verification of Sports in time and, therefore, he prayed to grant interim relief and direct the respondents to keep one seat vacant till the decision of the present Original Application.

3. Learned Chief Presenting Officer has submitted that the applicant has not complied with the condition Nos. 2.5 to 2.8 mentioned in the advertisement dated 01.07.2017 and, therefore, he is no eligible to be appointed on the post of Assistant Motor Vehicle Inspector. He has submitted that the applicant has to produce certificate regarding Verification of his Sports quota as mentioned in paragraph No. 2.6 of the advertisement dated 01.07.2017 along with the application form, but the applicant has submitted it belatedly and, therefore, his selection has been cancelled. Therefore, he

prayed to reject the prayer of the applicant for grant of interim relief.

4. On perusal of the advertisement, it reveals that in the paragraph Nos. 2.5 to 2.8 it has been specifically mentioned that candidate claiming reservation from Sport quota has to produce the Sports Certificate and Certificate of Verification of Sports of the Competent Authority along with application form. The applicant has failed to produce the Sports Certificate and Certificate of Verification of Sports Certificate of the Competent Authority prior to the date of filing of application form. The applicant has not complied with the conditions mentioned in Paragraph Nos. 2.5 to 2.8 of the advertisement dated 01.07.2017. Therefore, the respondents have rightly rejected the claim of the applicant. *Prima facie* it appears that the applicant has no made out strong case for grant of interim relief. Hence, the prayer of the applicant for grant of interim relief is rejected.

5. Issue notices to the respondents, returnable on 03.04.2020.



**O.A. NO. 96 OF 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.

10. 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.

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**O.A. NO. 96 OF 2020**

11. S.O. to 03.04.2020.

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

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**ORIGINAL APPLICATION ST. NO. 1130 OF 2019**  
**(Shri Deepak G. Kulkarni 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 : 18.02.2020**

**ORAL ORDER :**

Shri Pramod A. Kulkarni, learned Advocate for the applicant (**absent**). Shri N.U. Yadav, learned Presenting Officer for the respondents, present.

2. It appears that on the last occasion i.e. on 27.11.2019 at the request of the learned Advocate for the applicant time was granted to satisfy the Tribunal about the maintainability of the present Original Application since earlier T.A. No. 1434/1991 (W.P. No. 1560/1988) filed by the applicant claiming similar relief has already been rejected by this Tribunal on 05.07.2001. It further appears that on 09.12.2019 at the request of learned Advocate for the applicant time was granted as a last chance and matter was posted on 15.01.2020. However, on 15.01.2020 again at the request of learned Advocate for the applicant the time was granted as a most last and matter was posted today i.e. on 18.02.2020. However, today also nobody appeared for the applicant.

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**O.A. ST. NO. 1130 OF 2019**

3. In view of the above, it seems that the applicant is not interested in prosecuting the present case and hence, the same stands dismissed in default. There shall be no order as to costs.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**M.A. NO. 99/2020 IN O.A. ST. NO. 283/2020**  
**(Swati Shivajirao Maknikar 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 : 18.02.2020**

**ORAL ORDER :**

Heard Shri U.P. Giri, learned Advocate holding  
for Shri R.D. Biradar, learned Advocate for the  
applicant and Shri V.R. Bhumkar, learned Presenting  
Officer for the respondents.

2. This is an application filed by the applicant for  
condonation of delay of about 5 months and 24 days  
caused in filing accompanying Original Application.

3. Issue notices to the respondents, returnable on  
03.04.2020.

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

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

**M.A. NO. 99/2020 IN O.A. ST.  
NO. 283/2020**

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

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

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

7. 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.

8. S.O. to 03.04.2020.

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

**ACTING CHAIRMAN**

**C.P.NO. 2/2020 IN O.A.NO. 10/2019**  
**(Shridevi M. Mahanwar 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 : 18.02.2020.**

**ORAL ORDER :**

Heard Shri H.P. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Contemnor Shri Biruba Ramrao Shimple, Assistant Director (Tech.), is present today before this Tribunal. He has submitted an affidavit. He has produced the copy of the order passed by him. He has tendered unconditional apology for delay caused for passing the order. He has submitted that at present he is serving as an Assistant Director in the office of the Director, Vocational Education and Training, 3, Mahapalika Marg, Mumbai and now one Satish Suryawanshi, is serving as Acting Deputy Director Vocational Education, Aurangabad. He has submitted that due to misinterpretation of the G.R. he passed the order dated 25.11.2019, which is at page 51. He has submitted that now he is ready to reconsider the case of the applicant afresh and to pass appropriate order in view of the directions given

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**C.P.NO. 2/2020 IN O.A.NO. 10/2019**

by this Tribunal in O.A. No. 10/2019 on 28.8.2019. He has submitted that he will intimate the said order to Shri Satish Suryawanshi, Joint Director, Vocational Education, Aurangabad, and comply the order within a period of four weeks.

3. In view of the submission made by the contemnor namely Shri Biruba Ramrao Shimple, Assistant Director (Tech.), Mumbai, Shri Satish Suryawanshi, Acting Deputy Director, Aurangabad is directed to reconsider the decision dated 25.11.2019 taken by the contemnor and to pass appropriate order in view of the direction given by this Tribunal on 10.1.2019 within a period of four weeks and to submit compliance report. Contemnor Shri Biruba Ramrao Shimple, Assistant Director (Tech.), Mumbai is directed to communicate this order to Shri Satish Suryawanshi, Joint Director, Vocational Education, Aurangabad.

4. S.O. to 16.03.2020.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD



**ORIGINAL APPLICATION NO. 621 OF 2019**  
**(Shri Hari N. Sasane 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 : 18.02.2020.**

**ORAL ORDER :**

Heard Shri Arvind G. Ambetkar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. On instructions, the learned Advocate for the applicant has submitted that the applicant does not want to proceed with the present Original Application and wants to withdraw the same. He has filed pursis signed by the applicant in that regard. Therefore, he seeks permission of this Tribunal to withdraw the present Original Application.

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

4. In view of the aforesaid submissions made on behalf of both the parties and since the applicant does not want to proceed with the present Original Application and wants to withdraw the same

**O.A. NO. 621 OF 2019**

permission to withdraw the present Original Application is granted.

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

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**M.A.NO. 97/2020 IN O.A.ST.NO. 261/2020**  
**(Shri Bhausaheb B. Rakh & Ors. 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 : 18.02.2020.**

**ORAL ORDER :**

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

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.

**ACTING CHAIRMAN**

**O.A.ST.NO. 261/2020**  
**(Shri Bhausahab B. Rakh & Ors. 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 : 18.02.2020.**

**ORAL ORDER :**

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

2. Reserved for orders.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**M.A.NO. 98/2020 IN O.A.ST.NO. 265/2020**  
**(Shri Lahu Utam Pandit & Ors. 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 : 18.02.2020.**

**ORAL ORDER :**

Heard Shri S.S. Thombre, learned Advocate for the applicants and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

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.

**ACTING CHAIRMAN**

**O.A.ST.NO. 265/2020**  
**(Shri Lahu Utam Pandit & Ors. 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 : 18.02.2020.**

**ORAL ORDER :**

Heard Shri S.S. Thombre, learned Advocate for  
the applicants and Mrs. Priya R. Bharaswadkar,  
learned Presenting Officer for the respondents.

2. Reserved for orders.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

**M.A.NO. 312/19 IN M.A.ST.1336/19 IN O.A. 909/18**  
**(Shri Atmaram N. Mahide V/s. State of Maharashtra & Ors.)**

**CORAM : B.P. PATIL, ACTING CHAIRMAN.**

**DATE : 18.02.2020.**

**ORAL ORDER :**

Heard Shri Manoj U. Shelke, learned Advocate holding for Shri S.M. Mundik, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 07.04.2020.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD

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

**CORAM : B.P. PATIL, ACTING CHAIRMAN.**

**DATE : 18.02.2020.**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, Shri S.S. Ware, learned Advocate for respondent No. 4 and Shri R.D. Khadap, learned Advocate for respondent No. 5.

2. At the request of learned Advocate for the applicant, S.O. to 24.02.2020.

**ACTING CHAIRMAN**

ORAL ORDERS 18.02.2020-HDD