

**C.P. No. 48/2019 in O.A. No. 933/2018**  
(Gajanan M. Jadhav Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer for the respondents, short time is granted for filing affidavit in reply.

3. S.O. to 07.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P. No. 07/2021 in O.A. No. 768/2017**  
**(Rajan A. Lengde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Smt. Suchita A. Dhongde, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent No. 1 and Shri S.B. Mene, learned Advocate for the respondent Nos. 2 to 4.

2. At the request of learned Presenting Officer, time is granted for filing affidavit in reply on behalf of respondent No. 1.

3. S.O. to 18.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 686 OF 2019**  
**(Brijlal H. Bibe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Shri S.D. Joshi, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, time is granted for filing additional affidavit in reply.

3. S.O. to 20.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 1029 OF 2019**  
**(Suraj S. Bavat Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Shri M.S. Chaudhari, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent No. 4.

2. As none present for the applicant, S.O. to 20.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 93 OF 2020**  
(Jayshree S. Tusamkar Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Shri M.S. Chaudhari, learned Advocate for the applicant (**Absent**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 20.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 223 OF 2020**  
(Divya S. Nandi & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri S.S. Jadhavar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants submits that the applicants do not wish to file rejoinder affidavit.

3. S.O. to 30.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 287 OF 2021**  
**(Vijaysing H. Bagul Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that the present Original Application is filed only for seeking direction against the respondent No. 2 to decide the appeal filed by the applicant against the final order of the Departmental Enquiry. He submits that the appeal was received by the respondent No. 2 on 25.08.2020 and since then the applicant has not received any communication about the progress of the said appeal.

3. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondents.

4. Upon enquiry, learned Presenting Officer submits that he has no knowledge about the progress of the said appeal, as nothing is communicated to him and therefore, he seeks short time to seek instructions from the respondent and file affidavit in reply.

5. S.O. to 14.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 337 OF 2021**  
**(Sandip D. Golwal & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri S.B. Mene, learned Advocate holding for Shri A.R. Borulkar, 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 applicants, S.O. to 17.10.2021.

**MEMBER (A)**

**MEMBER (J)**



**M.A. No. 222/2019 in O.A. St. No. 851/2019**  
**(Namdeo M. Bawiskar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. As none present for the applicant, S.O. to 13.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A. No. 181/2021 in O.A. St. No. 1208/2020**  
(Ground Water Engineers' Association & Anr. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicants, S.O. to 18.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 872 OF 2018**  
**(Arun M. Gir Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Govind B. Chate, learned Advocate holding for Shri A.G. Ambetkar, 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 07.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**T.A. No. 01/2021 (W.P. No. 4908/2021)**  
**(Shivaji T. Shinde & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2, Shri Ujjwal S. Patil, learned Advocate for respondent Nos. 3 to 5 and Shri Mayur Subhedar, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for respondent Nos. 6 to 8.

2. Learned Advocate for the applicant files two separate affidavits in rejoinder to the affidavit in reply file by the respondent Nos. 1 and 4 respectively. Same are taken on record and copies thereof have been served on the other side.

3. Pleadings are complete. In view of the same, the present matter is admitted and it be fixed for final hearing on 27.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**T.A. No. 02/2021 (W.P. No. 2612/2021)**  
**(Samiksha R. Chandrakar & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Ajay Deshpande, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 4, Shri U.J. Dixit, learned Advocate holding for Shri Ujjwal S. Patil, learned Advocate for respondent Nos. 5 to 10.

2. Learned Advocate for the applicants filed rejoinder affidavit to the affidavit in reply filed by the respondent No. 5. Same is taken on record and copy thereof has been served on the other side.

3. Pleadings are complete. In view of the same, the present matter is admitted and it be fixed for final hearing on 27.09.2021.

4. Interim relief granted earlier to continue till next date.

**MEMBER (A)**

**MEMBER (J)**

**M.A. St. No. 1144/2021 in O.A. St. No. 1145/2021**  
**(Ramkrushan D. Gore & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri K.C. Sonone, learned Advocate holding for Shri R.P. Bhumkar, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicants, S.O. to 12.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P. No. 15/2014 in O.A. No. 1128/1999**  
**(Revannath R. Landge Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri S.V. Adwant, learned Special Counsel for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 14.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P. No. 21/2021 in O.A. St. No. 1857/2017**  
(Vasant N. Phad Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent No. 3 and Shri S.B. Mene, learned Advocate for respondent Nos. 1 & 2.

2. At the request of learned Advocate for the applicant, S.O. to 18.10.2021.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 25 OF 2019**  
**(Dnyaneshwar D. Kale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Smt. Priya R. Bharaswadkar, learned Advocate holding for Shri Raghavendra Bharaswadkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Presenting Officer submits that the respondents would like to file sur-rejoinder to the rejoinder affidavit filed by the applicant and therefore, he seeks time. Time granted.

3. S.O. to 21.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P. No. 25/2020 in O.A. No. 284/2020**  
**(Sidram Mahadeo Koli Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri K.P. Rodge, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant placed on record a copy of office order No. 369/Year-2021 dated 30.08.2021, whereby the applicant has been accommodated on the post of Regional Vigilance and Quality Control Officer, Vigilance and Quality Control Squad, Aurangabad. Copy of the said order is taken on record and marked as document 'X' for the purpose of identification.

3. In view of the same, the grievance of the applicant has been redressed and nothing remains to be decided in the present C.P. Hence, the C.P. stands disposed of with no order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 553 OF 2021**  
**(Sunayana S. Suryawanshi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. The present Original Application is filed seeking mandatory relief directing the respondent No. 3 i.e. the M.P.S.C. to grant benefit of reservation of Orphan category to the applicant as per G.R. dated 23.08.2021 and permit the applicant to submit her form for Maharashtra Civil Engineering Services Main Examination-2020 from orphan category. The applicant is also seeking interim relief to provisionally permit her to submit her application form from Orphan Category.

3. The respondent No. 3- M.P.S.C. issued advertisement dated 18.03.2020 (Annexure A-5) for filling up the posts of Assistant Executive Engineer Civil, Group (A), as well as, Assistant Engineer Civil, Group (A) and Group (B), Grade-II from Water

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Resources Department and Assistant Executive Engineer Civil, Group (A) and Assistant Engineer Civil, Group (A) from Public Works Department. The applicant applied pursuant to the said advertisement. Initially she applied under SEBC category and thereafter, under EWS category, as the SEBC category reservation is cancelled. The applicant appeared for pre examination, which was held on 27.03.2021. Result of pre-examination was declared on 03.09.2021. Category wise cutoff benchmark sheet is at Annexure A-11. Cutoff benchmark for EWS General Category is 40.00 and EWS Female category is 36.25.

4. At the time of making the application, the applicant was not having orphan certificate and as of now also she does not have it. The G.R. dated 23.08.2021 (Annexure A-9 collectively) is issued and there is reference of previous G.Rs. dated 06.06.2016, 02.04.2018 & 20.08.2019.

5. Learned Advocate for the applicant submits that Group B & C sub-categories in orphan category are introduced only by this G.R. dated 23.08.2021. The applicant falls under Group-C category. The applicant is yet to seek requisite orphan certificate from the

competent authority. Mother and father of the applicant have died in the year 2003 & 2005 respectively. The applicant is having only mother's death certificate in her possession. She has applied for death certificate of her father and she would get it on 04.10.2021.

6. Learned Advocate for the applicant submits that after getting father's death certificate, the applicant would apply for requisite orphan certificate as contemplated under G.R. dated 23.08.2021.

7. In the above background, the learned Advocate for the applicant submits that the applicant belongs to Group-C sub-category as contemplated under G.R. dated 23.08.2021 and therefore, he seeks interim relief of mandatory nature directing the respondent No. 3-M.P.S.C. to provisionally allow the applicant to apply for the main examination under Orphan category. The applicant has secured 34 marks in pre-examination, whereas the cutoff benchmark for orphan category is 27.75 marks as per Annexure A-11. For seeking abovesaid interim relief, the learned Advocate for the applicant has invited our attention to

para 2 sub clause (9) & (11) of G.R. dated 23.08.2021 (Annexure A-9) and para 2 of Press Release dated 01.09.2021 (Annexure A-10) issued by the M.P.S.C. i.e. the respondent No. 3, which are as follows:-

**“शासन निर्णय दिनांक २३.०८.२०२१.**

२(९) अनाथांसाठीचे आरक्षण हा शासन निर्णय लागू झाल्याच्या दिनांकापासून पुढे होणा-या नोकरभरती व शैक्षणिक प्रवेशासाठी लागू राहिल. तसेच दि. २.४.२०१८ नंतर ज्या पदभरतीचा अंतिम निकाल जाहीर करण्यात आलेला नसेल, अशा सर्व पदभरतीसाठी देखील प्रस्तावित आरक्षण लागू राहिल.

(११) सदर शासन निर्णय अंमलात येण्यापूर्वी ज्या पात्र अनाथ मुलांना (दोन्ही पालक नसलेली) महिला व बाल विकास विभागामार्फत अनाथ प्रमाणपत्राचे वितरण करण्यात आलेले असेल अशा मुलांची प्रमाणपत्रे आरक्षणासाठी पात्र राहतील. तथापि, प्रस्तुत शासन निर्णय निर्गमित झाल्यानंतर ज्या अनाथांना शासन निर्णय, महिला व बाल विकास विभाग, दिनांक ६.६.२०१६ मध्ये विहित केलेल्या नमुन्यानुसार प्रमाणपत्र वितरीत करण्यात आलेले आहे अशा मुलांना सुधारीत नमुन्यात “अ”, “ब” आणि “क” या प्रवर्गात वर्गवारी करून सुधारीत प्रमाणपत्र वितरीत करण्याची कार्यवाही संबंधीत विभागीय उपायुक्त महिला व बाल विकास विभाग यांनी एका महिन्याच्या आत पुर्ण करावी. नवीन नमुन्यानुसार प्रमाणपत्र वितरीत करतांना संबंधीत अनाथ मुलाकडून कोणतीही नवीन कागदपत्रांची मागणी करण्यात येवू नये. विभागीय कार्यालयाकडे उपलब्ध अभिलेखाच्या आधारे त्या मुलाची वर्गवारी करून सुधारीत प्रमाणपत्र निर्गमित करणे बंधनकारक राहिल.

**प्रसिध्दीपत्रक दिनांक ०१ सप्टेंबर, २०२१**

२. शासन निर्णय, महिला व बाल विकास विभाग, क्रमांक -अनाथ-२०१८/प्र.क. १८२/ का-०३, दिनांक ०३ ऑगस्ट, २०२१ अन्वये अनाथ आरक्षणाच्या धोरणामध्ये शासनाकडून बदल करण्यात आला आहे. सदर शासन निर्णयातील तरतुदी विचारात घेऊन, जाहिरातीस अनुसरून अर्ज सादर करण्याच्या विहित अंतिम दिनांकापूर्वी प्रमाणित ग्राह्य अनाथ प्रमाणपत्र सादर केलेल्या उमेदवारांची सुधारीत यादी परिशिष्ट क्रमांक - १ मध्ये संबंधितांच्या माहितीकरीता प्रसिध्द करण्यात येत आहे. परंतु सदर शासन निर्णयातील तरतुदीच्या अनुषंगाने, परिशिष्ट क्रमांक - १ मधील सर्व उमेदवारांनी समक्ष प्राधिकरा-याने वितरित केलेले सुधारित नमुन्यातील अनाथ प्रमाणपत्र [pre-examination@mpsc.gov.in](mailto:pre-examination@mpsc.gov.in) या मेल आयडीवर **दिनांक ३१ ऑक्टोबर, २०२१** पर्यंत सादर करणे अनिवार्य राहिल. अन्यथा संबंधितांचा विचार अनाथ आरक्षणाच्या दाय्याकरीता करता येणार नाही.”

8. Upon reading all these clauses, we are of the prima-facie view that the applicant has to satisfy the conditions laid down in the sub para (11) of the G.R. dated 23.08.2021. For seeking benefit of Annexure A-10, the applicant should have certificate issued as per the provisions of G.R. dated 23.08.2021. However, it seems that the applicant is not able to demonstrate that sub para (11) can be satisfied. It is also evident that the applicant is not eligible for the main examination even from EWS category. Under these circumstances, in our considered opinion, no prima-facie case is made out by the applicant for seeking interim relief of mandatory nature. In these facts and circumstances, interim relief even subject to outcome of this litigation cannot be granted, as it will prejudice to the others. Hence, we are not inclined to grant interim relief at this stage.

9. Issue notice to the respondents, returnable on 22.10.2021.

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

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11. 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.

12. 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.

13. 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.

14. S.O. to 22.10.2021.

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

16. The present matter be placed on separate board.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO.182 OF 2019**  
**(Dr. Devidas L. Lavhate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that the applicant has died in the month of May, 2021.

3. At the request of learned Advocate for the applicant, S.O. to 22.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.590 OF 2020  
(Ankush B. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri S.D. Munde, learned Advocate holding for Shri S.R. Shirsat, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 25.10.2021 for filing reply.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.266 OF 2021**  
**(Laxmi N. Dhotre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**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. At the request of learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 25.10.2021 for filing reply.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.149 OF 2019 IN O.A.ST.NO.413 OF 2019  
(Bharat Z. Patil Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant produces on record the copy of order dated 07.09.2019 issued by respondent no.4. It is taken on record and marked as document 'X' for the purpose of identification.

3. At the request of learned Advocate for the applicant, S.O. to 12.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.146 OF 2020 IN M.A.ST.NO.418 OF 2020 IN  
O.A.ST.NO.419 OF 2020**

**(Maharashtra Rajya Pashu Sawardhan Abhiyantriki  
Karmachari Sanghatana Vs. State of Maharashtra & Ors.)**

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

**AND**

**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri K.D. Khade, learned Advocate holding for Shri Gaurav L. Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that he would produce the resolution of Union for filing the Original Application.

3. At the request of learned Advocate for the applicant, S.O. to 13.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.334 OF 2020 IN O.A.NO.894 OF 2019**  
**(Suman B. Wavdhane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri K.D. Khade, learned Advocate holding for Shri Gaurav L. Deshpande, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 13.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.249/2021 IN O.A.NO.463 OF 2019**  
**(Ravikant R. Hadoltikar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. Deepali S. Deshapnde, learned Presenting Officer for the respondent nos. 1, 2, 4, 5 & 7 and Shri G.N. Patil, learned Advocate for the respondent nos.3 & 6.

2. Issue notice to the respondents, returnable on 22.10.2021.

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.

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**M.A.249/21 IN O.A.463/19**

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. S.O. to 22.10.2021.

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

9. The present matter be placed on separate board.

**MEMBER (A)**

**MEMBER (J)**



**M.A.NO.299/2021 IN O.A.NO.422 OF 2020**  
**(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. By consent of both the sides, S.O. to 21.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.603 OF 2017  
WITH  
ORIGINAL APPLICATION NO.604 OF 2017  
WITH  
ORIGINAL APPLICATION NO.605 OF 2017  
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ORIGINAL APPLICATION NO.606 OF 2017  
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ORIGINAL APPLICATION NO.607 OF 2017  
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ORIGINAL APPLICATION NO.608 OF 2017  
WITH  
ORIGINAL APPLICATION NO.609 OF 2017  
WITH  
ORIGINAL APPLICATION NO.780 OF 2017  
(Jaideep A. Limbale & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)  
AND  
Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh and Ms. Preeti R. Wankhade, learned Advocates for the applicants in respective O.As. and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all the O.As.

2. At the request and by consent of both the parties, S.O. to 28.10.2021. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.530 OF 2021**  
**(Priya R. Awhad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**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. By order dated 14.09.2021, we have directed the Respondent no.2 i.e. M.P.S.C. to decide the representation dated 30.08.2021 made by the applicant alleging the technical glitch in filling the online application forms and more particularly answering the clause mentioning 'Do you belong to Non-creamy Layer?'

3. It is the contention of the applicant that due to technical glitch the option 'Yes' was not available and therefore, the applicant could not mention the same.

4. Today, learned C.P.O. places on record the copy of communication dated 17.09.2021 received from the office of Respondent no.2 i.e. M.P.S.C. It is taken on record and marked as document 'X' for the purpose of identification. Perusal of the said communication would show that the Respondent no.2 i.e. M.P.S.C. has not decided the representation dated 30.08.2021 of the applicant as

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**O.A.530/2021**

referred in the earlier order dated 14.09.2021. Even the aspect of technical glitch is not addressed in the communication. In fact, while passing the order we have considered alleged issue of technical glitch.

5. Today, upon making enquiry, learned C.P.O. submits that he would take necessary telephonic instruction in that regard. The matter therefore, was kept back.

6. Thereafter, the learned C.P.O. submits that he telephonically talked with one Shri S.H. Awatade, Joint Secretary of Respondent no.2 i.e. M.P.S.C. Learned C.P.O. further submits that the said officer informed him that there was no technical glitch so far as filling online application forms for the concerned post.

7. In view of same, we are not inclined to grant interim relief as sought for by the applicant when we have already directed the Respondent no.2 i.e. M.P.S.C. to consider and decide the representation of the applicant dated 30.08.2021. Notices are already issued to the respondents. In view of same, matter is fixed for filing affidavit-in-reply on 08.10.2021.

8. S.O. to 08.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.618 OF 2018**  
**(Sharad D. Raut Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**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. At the request and by consent of both the parties, S.O. to 12.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.141 OF 2019**  
**(Pandharinath S. Gawali & Ors. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the parties, S.O. to 12.10.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.659 OF 2019**  
**(Vijay M. Suralkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri R. S. Shinde (Boralkar), learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Due to paucity of time, S.O. to 14.10.2021 for final hearing. Interim relief granted earlier to continue till then.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.702 OF 2019**  
**(Ismail @ Raju Monoddin Tamboli Vs. State of Maharashtra**  
**& Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**AND**  
**Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri F.K. Pate, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Due to paucity of time, S.O. to 14.10.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**



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

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has argued the present case by saying that the applicant is eligible to get 12% interest on delayed payment as mentioned in paragraph Nos. 4 & 5 of the rejoinder.

3. The present case be treated as part heard. The learned Presenting Officer to argue the present case on behalf of the respondents, on the next date.

4. S.O. to 25.10.2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO. 2 OF 2021**  
**(Kiran S. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The learned Presenting Officer seeks time for filing affidavit in reply. Time granted.

3. S.O. to 25.10.2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO. 407 OF 2021**  
**(Aziz Immam Shaikh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Quadri Syed, learned Advocate holding for Shri Gaurav L. Deshpande, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. It appears from the record that affidavit in reply on behalf of respondent Nos. 1 & 2 has already been filed on record.

3. Learned Advocate for the applicant seeks time to amend the Original Application as per leave granted by this Tribunal vide its order dated 31.8.2021 and also respond to issue of limitation. Time granted.

4. S.O. to 1.10.2021.

**MEMBER (A)**

**M.A.NO. 113/2020 IN O.A.ST.NO. 299/2020**  
**(Maruti N. Ghodke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply in M.A. No. 113/2020. Time granted.
3. S.O. to 12.10.2021.

**MEMBER (A)**

ORAL ORDERS 20.9.2021-HDD

**M.A.NO. 114/2020 IN O.A.ST.NO. 301/2020  
(Uttam K. Kadam Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Ganesh J. Kore, 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 in M.A. No. 114/2020. Time granted.
3. S.O. to 12.10.2021.

**MEMBER (A)**

ORAL ORDERS 20.9.2021-HDD

**M.A.NO. 115/2020 IN O.A.ST.NO. 303/2020  
(Ashok P. Patl Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply in M.A. No. 115/2020. Time granted.
3. S.O. to 12.10.2021.

**MEMBER (A)**

ORAL ORDERS 20.9.2021-HDD

**M.A.NO. 116/2020 IN O.A.ST.NO. 305/2020**  
**(Jagannaath B. Kaljate Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri Ganesh J. Kore, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply in M.A. No. 116/2020. Time granted.
3. S.O. to 12.10.2021.

**MEMBER (A)**

ORAL ORDERS 20.9.2021-HDD

**ORIGINAL APPLICATION NO. 452/2021**  
**(Datta N. Bharaskar Vs. State of Maharashtra & Ors.)**

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

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, 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, issue fresh notices to the respondents, returnable on 21.10.2021.

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

7. S.O. to 21.10.2021.

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

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 581/2020**  
**(Ganesh S. Khetre Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer submits that he has already received para-wise remarks from the respondents and within short time he will file affidavit in reply. Therefore, he seeks short time for filing affidavit in reply of the respondents. Time granted.

3. S.O. to 7.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 432/2021**  
**(Mahadevi S. Khadiwale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri V.P. Kadam, learned Advocate holding for Smt. A.N. Ansari, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

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

4. S.O. to 21.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 459/2021**  
**(Rameshwar B. Khanal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**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. Learned Presenting Officer seeks time for filing affidavit in reply of the respondent nos. 1 to 3. Learned Advocate for the applicant also seeks time for placing on record service proof of respondent no. 4. Time granted.

3. S.O. to 21.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 474/2021**  
**(Dr. Shobha S. Waidande Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Shri Vivek Deshmukh, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1, 2 & 4.

2. Shri M.B. Kolpe, learned Advocate has filed joint V.P. for himself and Advocate Shri A.S. Shelke for respondent no. 5. It is taken on record. He seeks time for filing affidavit in reply of respondent no. 5.

3. Learned P.O. also seeks time for filing affidavit in reply of respondent nos. 1, 2 & 4.

4. Record shows that service of respondent no. 3 is awaited.

5. S.O. to 22.10.2021.

**MEMBER (J)**

**M.A. 38/2021 IN O.A. ST. 1369/2020**  
**(Ashok B. Pagare Vs. State of Maharashtra & Ors.)**

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

**DATE : 20.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 22.10.2021 for filing rejoinder affidavit, if any, by the applicant.

**MEMBER (J)**

**M.A. 193/2021 IN O.A. ST. 346/2021**  
**(Suryakant S. Bhalerao Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

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

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

3. S.O. to 22.10.2021.

**MEMBER (J)**

**REV. ST. 1217/2019 IN O.A. 63/2015**  
**(The Superintending Engineer & Administrator, C.A.D.A.,**  
**Aurangabad Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri S.B. Mene, learned Advocate for the applicant in Review Petition, Shri N.U. Yadav, learned Presenting Officer for the respondent nos. 2 to 6 in Review Petition and Shri S.D. Joshi, learned Advocate for respondent no. 1 in Review Petition / applicant in O.A.

2. Shri Joshi, learned Advocate has filed affidavit in reply of respondent no. 1 / applicant in O.A. in the present Review Petition. It is taken on record and copy thereof has been supplied to other side.

3. Learned P.O. seeks time for filing affidavit in reply of respondent nos. 2 to 6 in Review Petition. Time granted.

4. Learned Advocate for respondent no. 1 in Review petition opposed for grant of time to the respondent nos. 2 to 6 on the ground that the present Review Petition is lingering for quite considerable time though



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**REV. ST. 1217/2019 IN  
O.A. 63/2015**

this Tribunal vide order dtd. 11.4.2016 allowed the O.A. no. 63/2015 filed by the applicant.

5. However, in the interest of justice, time granted to the respondent nos. 2 to 6 for filing affidavit in reply in Review Petition and to the applicant for filing rejoinder affidavit, if any, to the affidavit in reply of respondent no. 1.

6. S.O. to 5.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 640/2019**  
**(Pradeep M. Kaushike Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 7.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 148/2020**  
**(Gorakshnath J. Bhalerao Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 5.10.2021 for filing relevant documents on record.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 205/2019**  
**(Vajnath M. Karadkhele Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent authorities and Shri S.D. Dhongde, learned Advocate for respondent no. 3.

2. With the consent of both the sides, S.O. to 14.10.2021.

**MEMBER (J)**

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. With the consent of both the sides, S.O. to 18.10.2021.

**MEMBER (J)**

ARJ ORAL ORDERS 20.09.2021

**ORIGINAL APPLICATION NO. 248/2021**  
**(Sunil S. Pawar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri V.G. Salgare, learned Advocate for the applicant, Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondent nos. 1 & 2 and Shri Shamsundar B. Patil, learned Advocate for respondent nos. 3 & 4.

2. At the request of Shri Patil, learned Advocate, S.O. to 22.10.2021 for filing affidavit in reply of respondent nos. 3 & 4.

**MEMBER (J)**

ARJ ORAL ORDERS 20.09.2021

**M.A. 407/2019 IN O.A. ST. 1458/2019**  
**(Sarita V. Gaikwad @ Sangita S. Wagh Vs. State of**  
**Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri V.G. Salgare, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 22.10.2021.

**MEMBER (J)**

**M.A. 276/2020 IN O.A. ST. 833/2020**  
**(Jayant R. Ambhore Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri K.A. Ingle, learned Advocate for the applicant, Shri V.R. Bhumkar, learned Presenting Officer for the respondent nos. 1 & 2 and Shri N.A. Jadhav, learned Advocate for respondent no. 3.

2. With the consent of both the sides, S.O. to 25.10.2021.

**MEMBER (J)**



**M.A. 237/2021 IN M.A. ST. 1741/2020 IN O.A. ST. 574/2020**  
**(Dnyanoba W. Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 25.10.2021.

**MEMBER (J)**

**M.A. ST. 889/2021 IN M.A. ST. 890/2021 IN M.A.  
ST. 1111/2020 IN O.A. ST. 1964/2018  
(Madhav B. Marde & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 8.10.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 202/2017**  
**(Ashok B. Wagh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri A.S. Shelke, learned Advocate for the applicant and Smt. Sanjivani Deshmukh Ghate, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 11.10.2021 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 490/2018**  
**(Bhaudas D. Vaishnav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 12.10.2021 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 427/2019**

**(Ranjeet S. Savale (Dhangar) Vs. State of Maharashtra & Ors.)**

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

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. With the consent of both the sides, S.O. to 13.10.2021 for final hearing.

**MEMBER (J)**

**O.A. NOS. 204, 238 & 239 ALL OF 2019**  
**(Dr. Bhagwat S. Khadke & Ors. Vs. State of Maha. & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri M.B. Kolpe, learned Advocate holding for Shri Vevek Deshmukh, learned Advocate for the applicants in all these cases, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 4 in O.A. Nos. 204 & 239 both of 2019 & for respondent Nos. 1 to 3 in O.A. No. 238/2019 and Shri S.V. Deshmukh, learned Advocate for respondent Nos. 4 & 5 in O.A. No. 238/2019.

2. Learned Advocate for the applicant has argued the present case by referring to the order dated 25.9.2018 passed by the Aurangabad Bench of this Tribunal in O.A. No. 824/2016, a copy of which is placed on record at Annexure 'A-6', page Nos. 33 to 43 of paper book. He has also referred to judgment in W.P. No. 720/200666 and companion WPs decided by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad, copies of which are placed on record at Annexure 'A-4', page Nos. 20 to 22 of paper book. Thereafter he has referred to judgment of Hon'ble Apex Court in SLP (Civil) Nos. 18902-18905 of 2010 passed on 2.2.2011. Responding to applicability of clause 4 (iv & vii) of Notification of Public Health Department dated 2.2.2009, learned Advocate for the applicant has cited rule 8, 11 & 12 of Notification of

Finance Department, Government of Maharashtra dated 22.4.2009, a copy of which is placed on record at Annexure 'A-5', page Nos. 25 to 32 of paper book. He also referred to rule 11 of the Maharashtra Civil Services (Pay) Rules, 1981 and submitted two copies of judgments delivered by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad in 3380/2019 & batch and W.P. No. 11603/2015 & batch. The same are taken on record and marked as document 'X' Collectively for the purpose of identification.

3. Learned Presenting Officer has also argued the present case based on the submissions made in the affidavit in reply and also submitted that his arguments should be treated for all these three cases.

4. Shri S.V. Deshmukh, learned Advocate for respondent Nos. 4 & 5 in O.A. No. 238/2019 argued the present case and filed copy of judgment delivered by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad in W.P. No.1 772/2016 & batch. The copy of the same is taken on record and marked as document 'X-1' for the purpose of identification.

5. Both parties are directed to file their brief written notes of arguments by the next date.

**:: - 3 - :: O.A. NOS. 204, 238 &  
239 ALL OF 2019**

6. The present cases be treated as part heard.
7. S.O. to 12.10.2021.

**MEMBER (A)**

ORAL ORDERS 20.9.2021-HDD



**ORIGINAL APPLICATION NO.87/2019**  
**(Yogiraj Mane Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Smt. Suchita Dhongde, learned Advocate for the Applicant has filed **leave note** on record.

Shri B.S.Deokar, learned Presenting Officer for the Respondent no.1 and Shri N.U.Yadav learned Advocate for respondent nos.2 and 3 are present.

2. In view of leave note of learned Advocate for the applicant, S.O. to 21-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.527/2021**  
**(Devidas Gadekar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri J.B.Choudhary, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has argued the case and he has accepted that transfer of Shri B.J. Nagargoje and Shri V.M. Daund is not a mutual transfer and his case is for the applicant Shri Devidas Gadekar. It appears from the minutes of the meeting of the Civil Services Board dated 09-08-2021 (Annexure A-2) that all the 6 transfers have been recommended to be stayed for which a specific reason has been recorded in paragraph 2.

3. Issue notice to the respondents, returnable on 12.10.2021.

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

5. 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

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O.A.NO.527/2021

would be taken up for final disposal at the stage of admission hearing.

6. 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.

7. 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.

8. S.O. to 12.10.2021.

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

**MEMBER (A)**

**ORIGINAL APPLICATION NO.528/2021  
(Asaram Bilpe Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri J.B.Choudhary, learned Advocate for the Applicant and Shri S.K.Shirse, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has argued the case and he has accepted that transfer of Shri B.J. Nagargoje and Shri V.M. Daund is a not mutual transfer and his case is for the applicant Shri Asaram Biple. It appears from the minutes of the meeting of the Civil Services Board dated 09-08-2021 (Annexure A-2) that all the 6 transfers have been recommended to be stayed for which a specific reason has been recorded in paragraph 2.

3. Issue notice to the respondents, returnable on 12.10.2021.

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

5. 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

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O.A.NO.528/2021

would be taken up for final disposal at the stage of admission hearing.

6. 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.

7. 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.

8. S.O. to 12.10.2021.

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

**MEMBER (A)**

**ORIGINAL APPLICATION NO.548/2021**  
**(Rajendra Gunjal Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri A.T.Jadhavar, learned Advocate for the Applicant and Shri M.P.Gude, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicant has submitted that he has got relief by way of stay to his transfer order vide order of Director, Medical Education and Research, Maharashtra State vide order dated 30-08-2021. However, his order is not implemented by the Dean of Swami Ramanand Teerth Rural Government Medical College, Ambajogai, Dist. Beed. Learned Advocate for the applicant states that Dean is not implementing the said order.

3. Learned P.O. has been advised to get affidavit in reply on behalf of the respondent nos.2 and 3 on the next date.

4. In the meanwhile, issue notice to the respondents, returnable on 20.10.2021.

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

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

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O.A.NO.548/2021

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. S.O. to 20.10.2021.

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

**MEMBER (A)**

YUK ORAL ORDERS 20.09.2021

**ORIGINAL APPLICATION NO.310/2019**  
**(Durgesh Jadhav Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. It reveals from the record that the respondent nos.2 to 4 have filed affidavit in reply on 10-10-2019. Learned P.O. submitted that respondent no.1 does not wish to file separate affidavit in reply. It is also found that rejoinder has been filed on behalf of the applicant on 22-10-2020 which has been taken on record and copy of it has been provided to the learned P.O.

3. S.O. 21-10-2021 for filing sur-rejoinder on behalf of the respondents.

**MEMBER (A)**



**ORIGINAL APPLICATION NO.301/2019**  
**(Sakharam Rakh Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri V.G.Pingle, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondent no.1 and Shri S.B.Mene learned Advocate for respondent nos.2 to 4.

2. Learned Advocate for the applicant prays for adjournment. Adjournment is granted.

3. S.O. to 18-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.351/2019**  
**(Sangita Kalbande & Anr. Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

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

2. Learned P.O. seeks time for filing sur-rejoinder on behalf of the respondents. Time is granted.
3. S.O. to 14-10-2021.

**MEMBER (A)**

**ORIGINAL APPLICATION NO.370/2019**  
**(Yasmin Hashmi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Bijay Kumar, Member (A)**

**DATE : 20.09.2021**

**ORAL ORDER :**

Heard Shri V.G.Pingle, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

Shri M.S.Dhannavat learned Advocate for respondent no.5 is **absent**.

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

3. Respondent no.5 District Health Officer, Zilla Parishad has not filed affidavit in reply, however, he has submitted his say to the Deputy Director, Health Services, Aurangabad vide his letter dated 08-01-2018 which is at paper book page 56-57.

4. Learned P.O. submitted that respondents do not wish to file sur-rejoinder.

5. Pleadings are complete. Matter be placed for final hearing on the next date.

6. S.O. to 28-10-2021.

**MEMBER (A)**

**Date : 20.09.2021**

**ORIGINAL APPLICATION NO.448/2021**

**(Sarjerao M. Phalke V/s State of Maharashtra & Ors.)**

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

1. Shri Akshay Kulkarni Id. Advocate for the applicant and Shri M.S.Mahajan Id. CPO for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 21.10.2021. The case be listed for admission hearing on 21.10.2021.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

20.09.2021/yuk registrar notice/

**Date : 20.09.2021**

**ORIGINAL APPLICATION NO.481/2021**

**(Archana Bansode V/s State of Maharashtra & Ors.)**

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

1. Shri Abhijit Avhad, Advocate for the applicant and Smt. Sanjivani Ghate Id. CPO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 25.10.2021. The case be listed for admission hearing on 25.10.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

20.09.2021/yuk registrar notice/

**Date : 20.09.2021**

**ORIGINAL APPLICATION NO. 559 OF 2021**

**(Swapnil P. Holkar V/s State of Maha. & Ors.)**

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

1. Shri H.S. Bali, learned Advocate holding for Shri R.K. Ashtekar, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 21.10.2021. The case be listed for admission hearing on **21.10.2021**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

