

**M.A.NO.225/2020 WITH M.A.NO.57/2019 IN  
O.A.NO.667/2018  
(Gajanan P. Khot & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri M.S.Mahajan learned Chief Presenting Officer for the Applicants in M.A.No.225/2020, Shri S.D.Joshi learned Advocate for the applicant in O.A., and Smt. Punam Mahajan learned Advocate for Applicant in M.A.No.57/2019.

2. The applicants in M.A.No.225/2020 i.e. Government of Maharashtra by filing the present Application prayed to grant permission to the respondent no.1 to complete the process of promotion to the post of Sub-Registrar Grade-I and Joint Sub-Registrar Class-II on ad-hoc basis during the pendency of O.A.No.667/2018.

3. Learned CPO has submitted that because of the pendency of the present O.A., process of promotion to the post of Sub-Registrar Grade-I and Joint Sub-Registrar Class-II has not been processed and it has been stalled. Therefore, he has prayed to grant permission to the respondents to start process of promotion subject to final decision of the O.A.

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M.A.NO.225/2020 WITH M.A.NO.57/2019 IN O.A.NO.667/2018

4. Smt. Punam Mahajan learned Advocate states that she has no objection to start process of promotion to the post of Sub-Registrar Grade-I and Joint Sub-Registrar Class-II subject to outcome of the O.A.

5. In view of the submission of learned CPO, learned Advocate for Applicants in M.A.No.57/2019 and learned Advocate for the Original Applicants, M.A.No.225/2020 is allowed. Respondent no.1 is permitted to complete the process of promotion on the post of Sub-Registrar Grade-I and Joint Sub-Registrar Class-II, subject to outcome of the O.A.

**VICE CHAIRMAN**

YUK ORAL ORDERS 21.09.2020

**M.A.NO.57/2019 IN O.A.NO.667/2018**  
(Gajanan P. Khot & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Smt. Punam Mahajan learned Advocate for Applicants in M.A.No.57/2019, Shri S.D.Joshi learned Advocate for the applicant in O.A. and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. By filing the present M.A.No.57/2020, Applicants have prayed to implead them as Party Respondents in the O.A.

3. Learned Advocate for the Original Applicant and learned CPO for the Government authorities state that they have no objections to allow the application and add the Applicants as party respondents.

5. In view of the submission of learned CPO, learned Advocate for Applicants in M.A.No.57/2019 and learned Advocate for the Original Applicants, M.A.No.57/2019 is allowed. No order as to costs.

6. Applicants in O.A. are directed to add present Applicants as party respondents by amending the O.A. Original Applicants shall amend the O.A. within a week.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.667/2018**  
(Gajanan P. Khot & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.D.Joshi learned Advocate for the applicant in O.A., Shri M.S.Mahajan learned Chief Presenting Officer for the respondent authorities and Smt. Punam Mahajan learned Advocate for Added respondents.

2. After the Misc. Applicants are added as party respondents, they shall file affidavit in reply within 4 weeks.

3. S.O. to 05.11.2020.

**VICE CHAIRMAN**

YUK ORAL ORDERS 21.09.2020

**M.A.No.227/2020 IN O.A.No.180/2020**  
(Ganesh Suralkar Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Smt. Punam Mahajan learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Learned CPO seeks time to take instructions from the respondents. Time is granted.
3. S.O. to 28.09.2020.

**VICE CHAIRMAN**

YUK ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO.76/2018**  
**(P.S.Andhale & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the applicants, Shri M.S.Mahajan learned Chief Presenting Officer for the respondent authorities and Shri S.R.Shirsat learned Advocate for respondent nos.7 to 9.

2. Pleadings are complete. Case be placed before the Division Bench whenever it is available.

**VICE CHAIRMAN**

YUK ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO.1102/2019**  
(Rajendra Patil & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri A.S.Deshmukh learned Advocate for the applicant, Shri M.S.Mahajan learned Chief Presenting Officer for the respondents, Smt. Punam Mahajan learned Advocate for respondent nos.4 to 6 and Shri S.D.Joshi learned Advocate for respondent nos.8 & 9. None appears for respondent no.7.

2. Case be placed for hearing on preliminary issues on the next date.

3. S.O. to 08.10.2020.

**VICE CHAIRMAN**

YUK ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO.194/2020**  
(Anil Salve Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri K.G.Salunke learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. Learned Advocate of the applicant has placed on record a communication dated 17-09-2020 issued to him by the applicant stating that the applicant does not want to proceed with the O.A. as his grievance has been redressed. Learned Advocate for the applicant submits that since the applicant does not want to proceed with the O.A., O.A. may be disposed of as the grievance of the applicant has been redressed.

3. Learned P.O. prays to pass appropriate order in the matter.

4. In view of the submission of the learned Advocate for the applicant, O.A. is disposed of as grievance of the applicant is redressed. There shall be no order as to costs.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO.270/2020**  
**(Bhima Chakre Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri Sandeep D. Munde learned Advocate for the applicant and Smt. Priya Bharaswadkar learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has produced communication dated 20-09-2020, which is taken on record, stating that the applicant does not want to proceed with the O.A. and he wants to withdraw the same. Therefore, he has prayed for leave to withdraw the O.A.

3. Learned P.O. prays to pass necessary order in the matter.

4. In view of the submission of the learned Advocate for the applicant leave to withdraw the O.A. is granted. O.A. stands disposed of as withdrawn with no order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO.927/2020**  
**(Mukesh Bhalerao Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

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

2. The Applicant has challenged the impugned transfer order dated 05-09-2020 by which he has been transferred from Women's Hospital, Latur to Rural Hospital Murud, Dist. Latur by filing the present O.A.

3. Learned Advocate for the applicant has submitted that the applicant has completed normal tenure of posting at Latur and he has requested for transfer at (1), Sub-District Hospital, Omerga, (2) Rural Hospital, Renapur and (3) Rural Hospital, Babhalgaon but the respondents without considering his request transferred him to Rural Hospital Murud, Dist. Latur. He has submitted that the applicant has not been relieved from his post.

4. Learned P.O. submits that the applicant has completed his normal tenure and he has been transferred and relieved from the post today in the

morning. He has submitted that as the applicant has been relieved and he is not entitled to any interim relief. Therefore, he has prayed to reject the prayer of the applicant for interim relief.

5. On perusal of the record, it reveals that the applicant has completed more than 7 years at Latur and completed his normal tenure of posting at Latur. No doubt, the applicant has not been posted at the place where he has requested. Prima facie, it seems that there is no illegality in the impugned order.

6. Moreover, the applicant has been relieved from the post at Latur. Therefore, no question of granting the interim relief arises. Hence, the request of the applicant for grant of interim relief is rejected.

7. Issue notices to the respondents, returnable on 29.10.2020.

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

9. 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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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.

10. 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.

11. 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.

12. 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.

13. S.O. to 29.10.2020.

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

**VICE CHAIRMAN**

**M.A.NO.228/2020 IN O.A.ST.NO.571/2020**  
(Sanjay Rajput Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has submitted that the applicant intends to amend the pleadings and add paragraph no.7-G) in the O.A. and also wants to replace prayer clauses B) and C). He has submitted that it is necessary to allow the M.A. and allow the applicant to carry out the amendment.

3. Learned P.O. submits that the necessary order be passed.

4. In view of the above submissions of the learned Advocate for the applicant M.A. is allowed. Applicant is permitted to carry out the amendment in the pleadings and prayer clause as prayed for. Applicant to carry out the amendment within 2 weeks.

5. Case be removed from the board.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO.345/2020**  
(Udhaysing Rajput Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri K.G.Salunke learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for the respondents.

2. In the meanwhile, respondents to maintain status quo as on today till next date.
3. Issue notices to the respondents, returnable on 26.10.2020.
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 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

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O.A.No.345/2020

(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. 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.

9. S.O. to 26.10.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO.226/2020**  
**(Haridas Ghuge Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Smt. Priti Wankhade 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 26.10.2020.

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.



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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 26.10.2020.

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

**VICE CHAIRMAN**

YUK ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 721 OF 2019**  
**(Shri Bhagwan W. Landge Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, 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, the present matter is removed from the board.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 427 OF 2019**  
**(Shri Ranjeet S. Savale (Dhangar) Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, 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, the present matter is removed from the board.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 420 OF 2019**  
**(Shri Raju P. Gaikwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, 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, the present matter is removed from the board.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 235 OF 2020**  
**(Shri Sunil K. Thakur Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, 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. Time granted as a last chance.

3. S.O. to 12.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**M.A. No. 194/2020 in O.A. No. 174/2020**  
**(Shri Ravindra P. Bibekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, learned Advocate holding for Smt. Suchita A. Dhongde, 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.

3. S.O. to 19.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 191 OF 2020**  
**(Shri Sunil K. Tangde Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

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

2. Learned Presenting Officer has submitted that during the course of the day affidavit in reply would be filed.

3. S.O. to 19.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 192 OF 2020**  
**(Shri Milind A. Bhamre Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri V.H. Dighe, learned Advocate for the applicant and Shri N.U. Yadav, 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 15.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020



**ORIGINAL APPLICATION NO. 199 OF 2020**  
**(Shri Sudhakar P. More Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, 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 24.09.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 183 OF 2020**  
**(Shri Rajendra G. Sonawane Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.D. Dhongde, 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 all the respondents. Time granted.

3. As the S.O. to 26.10.2020.

**VICE CHAIRMAN**

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

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 26.10.2020.
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.

//2// O.A. No. 302/2020

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. 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 26.10.2020.

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

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

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

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri I.D. Maniyar, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 26.10.2020.
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.

//2// O.A. No. 317/2020

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. 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 26.10.2020.

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

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**M.A. No. 218/2020 in O.A. St. No. 456/2020**  
**(Shri Ashok B. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks time to take instructions from the applicant to proceed with the present matter or not. Time granted.

3. S.O. to 26.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION ST. NO. 640 OF 2020**  
**(Shri Prakash S. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As on today the period of six months to decide the representation as per the Section 20(1)(b) of the Administrative Tribunals Act, 1985 has been elapsed. Therefore, the objection regarding filing of departmental appeal is overruled. The registry is directed to register the O.A.

3. Issue notices to the respondents, returnable on 26.10.2020.

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



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O.A. St. 640/2020

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. 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.

9. S.O. to 26.10.2020.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 899 OF 2020**  
**(Shri Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that he undertakes to remove the office objection in respect of Rs. 50/- fee deficit. He submits that he will deposit the said fee forthwith.

3. Issue notices to the respondents, returnable on 22.10.2020.

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

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O.A. St. 899/2020

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. 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.

9. S.O. to 22.10.2020.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 900 OF 2020**  
**(Shri Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri K.G. Salunke, 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 undertakes to remove the office objection in respect of Rs. 50/- fee deficit. He submits that he will deposit the said fee forthwith.

3. Issue notices to the respondents, returnable on 22.10.2020.

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

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O.A. St. 900/2020

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. 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.

9. S.O. to 22.10.2020.

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

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION ST. NO. 901 OF 2020**  
**(Shri Ramraje G. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant has submitted that he undertakes to remove the office objection in respect of Rs. 50/- fee deficit. He submits that he will deposit the said fee forthwith.

3. Issue notices to the respondents, returnable on 22.10.2020.

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

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O.A. St. 901/2020

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. 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.

9. S.O. to 22.10.2020.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 340 OF 2020 WITH  
CAVEAT APPLICATION NO. 70/2020**

**(Smt. Kalpana B. Kshirsagar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri Anant Devkate, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri D.R. Irale Patil, learned Advocate for Caveator (respondent No. 4).

2. Learned Advocate for respondent No. 4 (Caveator) has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. Issue notices to the respondent Nos. 1 to 3, returnable on 29.10.2020.

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



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O.A. No. 340/2020

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. 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.

9. S.O. to 29.10.2020.

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

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 337 OF 2020**  
**(Shri Avinash S. Adke Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Smt. Punam Mahajan, 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 22.10.2020.
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.

//2// O.A. No. 337/2020

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. 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 22.10.2020.

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

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**M.A. St. No. 878/2020 in O.A. St. No. 879/2020**  
(Shri Indrakumar S. Auti & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.B. Solanke, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants has submitted that the applicants intend to file application for condonation of delay and therefore, he seeks time. Time granted.

3. S.O. to 29.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**M.A. St. No. 876/2020 in O.A. St. No. 877/2020**  
**(Shri Vilas M. Yadav & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

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

2. Learned Advocate for the applicants has submitted that the applicants intend to file application for condonation of delay and therefore, he seeks time. Time granted.

3. S.O. to 29.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**M.A. St. No. 878/2020 in O.A. St. No. 879/2020**  
(Shri Indrakumar S. Auti & Ors. Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.B. Solanke, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants has submitted that the applicants intend to file application for condonation of delay and therefore, he seeks time. Time granted.

3. S.O. to 29.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**M.A. St. No. 880/2020 in O.A. St. No. 881/2020**  
**(Shri Rahul V. Manjare & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.B. Solanke, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicants has submitted that the applicants intend to file application for condonation of delay and therefore, he seeks time. Time granted.

3. S.O. to 29.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 56 OF 2020**  
(Shri Anil S. Barkul Vs. State of Maharashtra & Ors.)

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.B. Solanke, learned Advocate holding for Shri K.D. Khade 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 29.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020



**ORIGINAL APPLICATION NO. 179 OF 2020**  
**(Shri Arun S. Gaware Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri S.B. Solanke, learned Advocate holding for Shri S.B. Jadhav, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.B. Gaikwad, learned Advocate for respondent No. 4.

2. Learned Advocate for respondent No. 4 has filed affidavit in reply. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 29.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**ORIGINAL APPLICATION NO. 193 OF 2020**  
**(Shri Rajan K. Naik Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate holding for Shri Y.B. Bolkar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 & 2.

2. Learned Advocate Shri M.S. Sonawane, appeared on behalf of respondent No. 3 and he has filed note of appearance. Same is taken on record.

3. Learned Advocate for the applicant on instruction states that the applicant does not want to proceed with the present O.A., as the purpose of filing of the same has been served. Therefore, he has prayed to dispose of the present O.A.

4. Learned P.O. and learned Advocate for respondent No. 3 have also prayed to dispose of the present O.A.

5. In view of the submissions advanced by the learned Advocate for the applicant, the O.A. is disposed of as the purpose of filing of the same has been served. There shall be no order as to costs.

**VICE CHAIRMAN**

**M.A. No. 131/2020 in O.A. St. No. 375/2020**  
**(Smt. Aruna S. Lahurikar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Shri S.G. Joshi, learned Advocate for the applicant (**Absent**).

Heard 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.

3. S.O. to 29.10.2020.

**VICE CHAIRMAN**

KPB ORAL ORDERS 21.09.2020

**M.A. No. 214/2020 in O.A. No. 286/2020**  
**(Shri Ravi B. Harne Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Smt. Vidya Taksal, learned Advocate holding for Shri A.S. Deshmukh, learned Advocate for the applicant in the present M.A. (original respondent No. 3), Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 2 & 3 and Shri K.G. Salunke, learned Advocate for respondent No. 1 (Original applicant).

2. Learned Advocate for applicant in present M.A. (Original respondent No. 3) has filed affidavit in reply in O.A. same is taken on record and copy thereof has been served on the other side.

3. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 & 2 in O.A. Same is taken on record and copy thereof has been served on the other side.

4. S.O. to 08.10.2020. Interim relief granted earlier in O.A. to continue till then.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 326 OF 2020**  
**(Shri Anil Pandurang Ubale Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020.**

**ORAL ORDER :**

Heard Shri G.J. Karne, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. The applicant has filed the present O.A. claiming following reliefs:-

*“B) To hold and declare the applicant is entitled for the continuation of service on the post of Medical Officer, till the age of 60 years pursuance to the Government Decision dated 30.05.2015, 30.06.2015 and 03.09.2015.*

*C) To quash and set aside notice dated 26.08.2020 directing retiring the applicant on attending the age of 58 years. ”*

3. Learned Presenting Officer has placed on record a copy of the order passed by the Hon’ble High Court of Judicature at Bombay Bench at Aurangabad in **W.P. No. 5402/2018** in case of **Dr. Sanjay Ramrao Kadam and Ors. Vs. The State of Maharashtra and Ors.** decided on 20.03.2020 declaring that the G.Rs. dated 30.05.2015, 30.06.2015 & 03.09.2015 are illegal and thereby quashed the said G.Rs.

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O.A. No. 326/2020

He has submitted that the applicant has relied on the said G.Rs. in the present O.A. and claimed continuation in the service. He has submitted that the said G.Rs. have been quashed by the Hon'ble High Court and therefore, present O.A. requires to be dismissed as the applicant is not entitled to claim relief on the basis of the above said G.Rs.

4. On perusal of the record, it reveals that the applicant is claiming continuation in the service on the post of Medical Officer till the age of 60 years on the basis of the G.Rs. dated 30.05.2015, 30.06.2015 & 03.09.2015. The Hon'ble High court has declared that the said G.Rs. are illegal and set aside the same by the judgment in **W.P. No. 5402/2018** in case of **Dr. Sanjay Ramrao Kadam and Ors. Vs. The State of Maharashtra and Ors.** decided on 20.03.2020. As the said G.Rs. have been quashed, the relief claimed by the applicant is not sustainable. Hence, the O.A. deserves to be dismissed.

5. In view of the above, the Original application stands dismissed. There shall be no order as to costs.

**VICE CHAIRMAN**

**C.P. ST. 796/2020 IN O.A. 890/2018**

**(Shaikh Dadamiya Sk. Hussain & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Issue notice to respondent no. 2 in the present C.P., returnable on 26.10.2020.

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

**C.P. ST. 796/2020 IN O.A. 890/2018**      ::-2-::

(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 26.10.2020.

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

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020



**ORIGINAL APPLICATION NO. 89/2019**

**(Rajendra A. Jehurkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri S.D. Joshi, learned Advocate for the applicant, 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. Learned P.O. has filed on record copies of Notification dated 16.6.2006 issued by the P.W. Department, Mantralaya, Mumbai, copy of G.R. dtd. 11.1.2008 of the P.W.Department and the copy of office order dtd. 7.2.2008 issued by the Superintending Engineer, P.W.D., Aurangabad. The said documents are taken on record and marked as document 'X' collectively for the purpose of identification, He seeks time to take instructions from the concerned respondents. Time granted.

3. In the circumstances, S.O. to 8.10.2020.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION ST. NO. 845/2020**  
**(Amit S. Tandale Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.09.2020**

**ORAL ORDER :**

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

2. Learned C.P.O. seeks time to take instructions from the concerned respondents as regards the procedure regarding re-checking / re-valuation of the papers of the candidates who have appeared for Maharashtra Finance & Accounts Services Class-III Examination. Time granted.

3. In the circumstances, S.O. to 8.10.2020.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 328/2020**

**(Shaikh Shamshoddin Hamidoddin Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri Panditrao S. Anerao, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 2.11.2020.
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

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(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 2.11.2020.

9. Steno copy and hamdast allowed for the use of both the sides.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020

**M.A. ST. 777/2020 IN O.A. ST. 778/2020**  
**(Shridhar R. Kundatwad Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri R.B. Biradar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Applicant has not removed the objections raised by the office in the M.A. He should first remove the office objections and thereafter ask for circulation.

3. In the circumstances, the present matter is hereby removed from the board.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020

**M.A. 177/2020 WITH O.A. ST. 306/2020**  
(Ganesh D. Dhumal Vs. State of Maharashtra & Ors.)

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

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

2. The present M.A. has been filed by the applicant for condonation of of about 10 years and one month delay caused for filing the accompanying O.A.

3. The applicant has filed the accompanying O.A. with a prayer to issue directions to the respondents to decide his applications dated 12.11.2018 and 18.2.2019 in which he has raised the grievance regarding selection process for the post of Kaksh-Sevak, Ward Boy etc.

4. On perusal of record it reveals that the selection process for the appointment on the post of Class-IV i.e. Ward boy and Kaksh-Sevak in the Civil Hospital at Jalgaon has been started in the year 2007-08. The said selection process has been completed and

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**M.A. 177/2020 WITH  
O.A. ST. 306/2020**

thereafter select list has been prepared by the respondents. The said selection process has been challenged by the applicant Shri Pradip S. Kale & Ors. in O.A. no. 382/2008 before this Tribunal and the said O.A. was disposed of on 4.8.2009. The entire selection process has been completed in the year 2008 itself. The applicant has not raised grievance regarding the selected candidates in that process within the limited period of limitation. The applicant has raised the grievance before the respondents by his applications dated 12.11.2018 and 18.2.2019 in that regard.

5. Therefore, in my view, the applicant has not approached this Tribunal regarding his grievance within the stipulated period of limitation. Therefore, the present O.A. is hopelessly barred by limitation. There is inordinate delay of more than 11 years in filing the O.A. No plausible and justifiable reasons have been given in the M.A. for condonation of delay caused for filing the accompanying O.A.

6. In the circumstances the M.A. for condonation of delay caused for filing the accompanying O.A. is

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**M.A. 177/2020 WITH  
O.A. ST. 306/2020**

rejected. Consequently the registration of O.A. is refused. There shall be no order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020



**ORIGINAL APPLICATION NO. 1014/2019**

**(Bade Ratnahari Shridhar & Ors. Vs. State of Maharashtra & Ors.)  
AND**

**ORIGINAL APPLICATION NO. 95/2020**

**(Monali Babasaheb Late Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri C.V. Dharurkar, learned Advocate for the applicants in both the cases and Shri M.S. Mahajan & Smt. Priya R. Bharaswadkar, learned Chief Presenting Officer & learned Presenting Officer for the respondents in respective cases.

2. Learned C.P.O. has placed on record copy of communication dtd. 27.7.2020 received to him from the respondents, which is taken on record and marked as document 'X' for the purpose of identification. He has submitted that the process regarding filling up 129 vacant posts of Staff Nurse is going on and the respondents have published the select list of 111 candidates. He has further submitted that the respondents are going to take steps for filling up the remaining 129 vacant posts within a short time. Therefore he has submitted that the respondent no. 2

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may be directed to complete the said selection process within the stipulated time and with the said directions the O.As. may be disposed of.

4. Learned Advocate for the applicants submits that reasonable time may be given to the respondents to fill up the 129 vacant posts of Staff Nurse, and by giving such directions to the respondents the present O.As. may be disposed of.

5. In view of the above submissions made by the learned Advocate for the applicants and learned C.P.O. for the respondents the present O.As. are disposed of with a direction to the respondent no. 2 to take the suitable steps regarding filling up 129 vacant posts of Staff Nurse within a period of two weeks from today considering the COVID-19 pandemic situation. There shall be no order as to costs.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 236/2020**

**(Prakash U. Hasnabade Vs. State of Maharashtra & Ors.)**

**AND**

**ORIGINAL APPLICATION NO. 237/2020**

**(Datta A. Cheke Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri Panditrao S. Anerao, learned Advocate for the applicants in both the cases and S/shri V.R. Bhumkar & M.P. Gude, learned Presenting Officer for the respondents in respective cases.

2. Learned Advocate for the applicants has placed on record copy of communication dtd. 9.9.2020 issued by the respondents, which is taken on record and marked as document 'X' for the purpose of identification. He has submitted that the present O.As. may be disposed of by giving directions to the respondents to complete the selection process for appointment on the post of Talathi within the stipulated time in view of the above said communication dtd. 9.9.2020.

3. Learned P.Os. submit that reasonable time may be given to the respondents to complete the selection

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process for appointment on the post of Talathi within the stipulated time in view of the above said communication dtd. 9.9.2020, and by giving such directions to the respondents the present O.As. may be disposed of.

4. In view of the above submissions made by the learned Advocate for the applicants and learned P.Os. for the respondents the present O.As. are disposed of with a direction to the respondent nos. 4 & 5 to complete the selection process for appointment on the post of Talathi within four weeks from today in view of the above said communication dtd. 9.9.2020. There shall be no order as to costs.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020

**M.A. 206/2020 IN O.A. 1100/2019**  
**(Rajesh U. Landge Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri A.S. Deshmukh, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 8, Shri K.G. Salunke, learned Advocate holding for Shri S.S. Tope, learned Advocate for respondent Nos. 12 & 15, Shri K.M. More, learned Advocate submits that Shri Sachin Ranive, learned Advocate for respondent Nos. 18, 19, 22, 23, 24, 28 to 32, 34 to 37, 39 & 40, Shri G.K. Kshirsagar, learned Advocate for respondent Nos. 85 to 101, Shri Amol P. Ghule Patil, learned Advocate for respondent Nos. 81 to 84 and Shri S.D. Joshi, learned Advocate for respondent Nos. 102 to 105.

2. Shri More, learned Advocate holding for Shri Randive, learned Advocate submits that Shri Randive, learned Advocate for respondent nos. 18, 19, 22, 23, 24, 28 to 32, 34 to 37, 39 & 40 is not feeling well and therefore some time may be given for filing reply.

3. In the circumstances, S.O. to 22.10.2020. The Status quo granted earlier in M.A. No. 206/2020 to continue till then.

**VICE CHAIRMAN**

**OA NOS. 195, 227, 234, 253 AND 254 ALL OF 2020**  
(Nandkishor U. Mhaske & Ors. Vs. State of Maharashtra & Ors.)  
**AND**  
**ORIGINAL APPLICATION NO. 237/2020**  
(Datta A. Cheke Vs. State of Maharashtra & Ors.)

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard S/shri A.S. Deshmukh, C.V. Dharurkar & K.G. Salunke, learned Advocates for the applicants in respective O.As. and S/shri S.K. Shirse, N.U. Yadav, Smt. Priya R. Bharaswadkar & Smt. M.S. Patni, learned Presenting Officers for the respective respondents in respective cases.

2. Smt. Bharaswadkar, learned P.O. has filed affidavit in reply of respondent in O.A. no. 195/2020. It is taken on record and copy thereof has been supplied to other side.

3. Respective learned P.Os. seek time to file affidavit in reply of the respondents in rest of the cases. Time granted.

4. In the circumstances, S.O. to 29.10.2020.

**VICE CHAIRMAN**

**M.A. 807/2020 IN O.A. 804/2020**  
(Gopinath S. Patil & Ors. Vs. State of Maharashtra & Ors.)

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicants and Shri M.S. Mahajan, learned C.P.O. 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.

**VICE CHAIRMAN**

**O.A. 804/2020**

**(Gopinath S. Patil & Ors. Vs. State of Maharashtra  
& Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for  
the applicants and Shri M.S. Mahajan, learned C.P.O.  
for the respondents.

2. Issue notices to the respondents, returnable on 2.11.2020.
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 the Registry before due date. Applicant is directed to file affidavit of compliance and notice.



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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 2.11.2020.

9. Steno copy and hamdast allowed for the use of both the sides.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020

**M.A. 847/2020 IN O.A. ST. 848/2020**  
(Anandrao S. Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicants and Shri V.R. Bhumkar, learned P.O. 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.

**VICE CHAIRMAN**

**O.A. st. 848/2020**  
**(Anandrao S. Jadhav & Ors. Vs. State of**  
**Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicants and Shri V.R. Bhumkar, learned P.O. for the respondents.

2. Issue notices to the respondents, returnable on 2.11.2020.
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 the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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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 2.11.2020.

9. Steno copy and hamdast allowed for the use of both the sides.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020

**M.A. st. 850/2020 IN O.A. St. 851/2020**  
**(Ankush N. Garud & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned P.O. 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.

**VICE CHAIRMAN**

**O.A. st. 851/2020**

**(Ankush N. Garud & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicants and Shri M.P. Gude, learned P.O. for the respondents.

2. Issue notices to the respondents, returnable on 2.11.2020.
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 the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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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 2.11.2020.

9. Steno copy and hamdast allowed for the use of both the sides.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020

**M.A. st. 852/2020 IN O.A. St. 853/2020**  
**(Savita R. Rabhankar & Ors. Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicants and Shri S.K. Shirse, learned P.O. 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.

**VICE CHAIRMAN**



**O.A. st. 853/2020**  
**(Savita R. Renjamlar & Ors. Vs. State of**  
**Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicants and Shri S.K. Shirse, learned P.O. for the respondents.

2. Issue notices to the respondents, returnable on 2.11.2020.
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 the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

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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 2.11.2020.

9. Steno copy and hamdast allowed for the use of both the sides.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020

**O.A. st. 849/2020**

**(Vidya R. Bornare Vs. State of Maharashtra & Ors.)**

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

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

**DATE : 21.9.2020**

**ORAL ORDER :**

Heard Shri S.A. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned P.O. for the respondents.

2. Issue notices to the respondents, returnable on 2.11.2020.

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

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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 2.11.2020.

9. Steno copy and hamdast allowed for the use of both the sides.

**VICE CHAIRMAN**

ARJ ORAL ORDERS 21.9.2020



**ORIGINAL APPLICATION NO. 134 OF 2020**  
**(Madhukar S. Diwanji Vs. State of Maharashtra & Ors.)**

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

[The present case has been placed before the Single Bench due to non-availability of Division Bench]

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Smt. (Dr.) Kalpalata Patil Bharaswadkar, 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 as per the order dated 11.03.2020 she obtained the notices from the office of the Tribunal on 13.03.2020 and tried to serve the notices upon the respondents. Notices of respondent Nos. 4 & 5 were served on 17.03.2020. However, the notices of respondent Nos. 1 to 3 could not be served due to lockdown on account of Corona Pandemic.

3. She further submits that she is filing service affidavit of respondent Nos. 4 & 5, but the same could not be filed within time. She further prayed for re-issue of notices to the respondent Nos. 1 to 3.

4. In view of the above, the applicant is permitted to file service affidavit of respondent Nos. 4 & 5 on record.

5. Issue fresh notices to the respondent Nos. 1 to 3, returnable on 29.10.2020.

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.

11. S.O. to 29.10.2020.

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

**VICE CHAIRMAN**



**M.A.NO. 126/2020 IN O.A.ST.NO. 381/2020**  
**(Vishwambhar V. Tidke Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri S.R. Sapkal, 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 obtained the notices from the office of the Tribunal on 09.03.2020 for service upon respondents as per order dated 06.03.2020.

3. Though the returnable date was 17.04.2020, he could not submit the service affidavit within time due to lockdown on account of Corona Pandemic though notices were served on the respondents and hence he prayed for extension of time for filing service affidavit.

4. Permission granted as prayed for by the learned Advocate for the applicant.

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 26 OF 2020**  
**(Sanjay D. Salunke Vs. State of Maharashtra & Ors.)**

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

[The present case has been placed before the Single Bench due to non-availability of Division Bench]

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri Yogesh H. Jadhav, 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 as per the order dated 13.03.2020 he obtained the notices from the office of the Tribunal for service upon the respondents, which was returnable on 30.04.2020. However, the notices could not be served on the respondents before the returnable date due to lockdown on account of Corona Pandemic. However, the notices were served in the month of July, 2020 i.e. after the returnable date.

3. Learned Advocate for the applicant submits that to avoid the lacuna in service of notices he wants to serve the fresh notices upon the respondents.

4. Hence, issue fresh notices to the respondents, returnable on 05.10.2020.

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 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. 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. 26 OF 2020**

10. S.O. to 05.10.2020.

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

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd

**ORIGINAL APPLICATION NO. 135 OF 2020**  
**(Santosh V. Suryawanshi Vs. State of Maharashtra & Ors.)**

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

[The present case has been placed before the Single Bench due to non-availability of Division Bench]

**DATE : 21.09.2020**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant seeks permission to serve the notices upon the respondents afresh. Vide order dated 13.03.2020 notices were issued to the respondents returnable on 30.04.2020. However, learned Advocate for the applicant submits that he could not serve the notices on the respondents due to lockdown on account of Corona Pandemic.

3. Hence, Issue fresh notices to the respondents, returnable on 29.10.2020.

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 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. 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.

9. S.O. to 29.10.2020.

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

**VICE CHAIRMAN**

**ORIGINAL APPLICATION NO. 149 OF 2020**  
**(Vitthal J. Ambatwad Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

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

2. Earlier the notices were issued to the respondents as per order dated 18.03.2020 and applicant obtained the notices from the office of the Tribunal on 19.03.2020 for service on the respondents. The returnable date was 29.04.2020. Learned Advocate for the applicant submits that he could not file service affidavit before 3 days of returnable date due to lockdown on account of Corona Pandemic. Hence, he prayed for extension of time and seeks permission to file service affidavit on record.

3. Permission as prayed for by the learned Advocate for the applicant is granted.

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd

**ORIGINAL APPLICATION NO. 150 OF 2020**  
**(Ramkrishna D. Nagargoje Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

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

2. Earlier the notices were issued to the respondents as per order dated 18.03.2020 and applicant obtained the notices from the office of the Tribunal on 19.03.2020 for service on the respondents. The returnable date was 29.04.2020. Learned Advocate for the applicant submits that he could not file service affidavit before 3 days of returnable date due to lockdown on account of Corona Pandemic. Hence, he prayed for extension of time and seeks permission to file service affidavit on record.

3. Permission as prayed for by the learned Advocate for the applicant is granted.

**VICE CHAIRMAN**



**ORIGINAL APPLICATION NO. 151 OF 2020**  
**(Krantikumar V. Penurkar Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

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

2. Earlier the notices were issued to the respondents as per order dated 18.03.2020 and applicant obtained the notices from the office of the Tribunal on 19.03.2020 for service on the respondents. The returnable date was 29.04.2020. Learned Advocate for the applicant submits that he could not file service affidavit before 3 days of returnable date due to lockdown on account of Corona Pandemic. Hence, he prayed for extension of time and seeks permission to file service affidavit on record.

3. Permission as prayed for by the learned Advocate for the applicant is granted.

**VICE CHAIRMAN**

**M.A.NO. 68/2020 IN O.A.ST.NO. 2452/2019**  
**(Swati Prashant Patil Vs. State of Maharashtra & Ors.)**

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

[The present case has been placed before the  
Single Bench due to non-availability of Division  
Bench]

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri R.D. Khadap, 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 earlier the notices were issued by this Tribunal on 17.02.2020 and he collected the same from the office of the Tribunal on 21.02.2020. However, he could not serve the notices on the respondents due to lockdown on account of Corona Pandemic. Hence, he prayed for re-issue of notices to the respondents in M.A. No. 68/2020.

3. Hence, issue fresh notices to the respondents in M.A. No. 68/2020, returnable on 29.10.2020.

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 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. 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.

9. S.O. to 29.10.2020.

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**M.A.NO. 68/2020 IN O.A.  
ST. 2452/2020**

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

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd

**M.A.NO. 01/2020 IN O.A.ST.NO. 2317/2019**  
**(Devidas M. Kandhare Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri P.R. Tandale, 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 as per order dated 09.03.2020 he collected the notices from the office of the Tribunal on 12.03.2020 and served the respondents in M.A. No. 01/2020 on 16.03.2020 & 17.03.2020. However, he could not file service affidavit before the returnable date due to lockdown on account of Corona Pandemic. Hence, he prayed for extension of time for filing service affidavit.

3. Permission granted as prayed for by the learned Advocate for the applicant.

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd

**M.A.NO. 06/2020 IN O.A.ST.NO. 2318/2019**  
**(Dattatraya K. Istake Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri P.R. Tandale, 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 as per order dated 09.03.2020 he collected the notices from the office of the Tribunal on 12.03.2020 and served the respondents in M.A. No. 06/2020 on 16.03.2020 & 17.03.2020. However, he could not file service affidavit before the returnable date due to lockdown on account of Corona Pandemic. Hence, he prayed for extension of time for filing service affidavit.

3. Permission granted as prayed for by the learned Advocate for the applicant.

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd

**M.A.NO. 04/2020 IN O.A.ST.NO. 2316/2019**  
**(Laxman R. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri P.R. Tandale, 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 as per order dated 09.03.2020 he collected the notices from the office of the Tribunal on 12.03.2020 and served the respondents in M.A. No. 04/2020 on 16.03.2020 & 17.03.2020. However, he could not file service affidavit before the returnable date due to lockdown on account of Corona Pandemic. Hence, he prayed for extension of time for filing service affidavit.

3. Permission granted as prayed for by the learned Advocate for the applicant.

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd

**M.A.NO. 03/2020 IN O.A.ST.NO. 2143/2019**  
**(Dr. Deelip R. Tandale Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri P.R. Tandale, 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 as per order dated 09.03.2020 he collected the notices from the office of the Tribunal on 12.03.2020 and served the respondents in M.A. No. 03/2020 on 16.03.2020 & 17.03.2020. However, he could not file service affidavit before the returnable date due to lockdown on account of Corona Pandemic. Hence, he prayed for extension of time for filing service affidavit.

3. Permission granted as prayed for by the learned Advocate for the applicant.

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd



**ORIGINAL APPLICATION NO. 343 OF 2020**  
**(Bhimrao Somla Rathod Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 24.09.2020 to enable her to take instructions from the concerned respondents.

**VICE CHAIRMAN**

ORAL ORDERS 21.09.2020-hdd

**ORIGINAL APPLICATION NO. 341 OF 2020**  
**(Smt. Mangala M. Pande Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, 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 completed normal tenure of posting at Latur and she has been transferred by the impugned order dated 5<sup>th</sup> September, 2020 from Latur to Lohara, District Osmanabad, without following the guidelines given by the Government vide Government Resolutions dated 07.07.2020 & 23.07.2020 (Annexure "A-3" page Nos. 19-21). He has submitted that the applicant never made request for her transfer at Osmanabad District. The applicant has also not given places for choices for transfer. He has submitted that the impugned order of transfer is issued in contravention of the guidelines given by the Government vide Government Resolutions dated 07.07.2020 & 23.07.2020 and the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of

Official Duties Act, 2005 (for short “the Transfer Act of 2005). He has submitted that the applicant has not yet been relieved from the present post. He, therefore, prayed to stay the execution and operation of the impugned transfer order.

3. Learned Chief Presenting Officer has submitted that the applicant has completed her normal tenure of posting and, therefore, she has been transferred. He has submitted that the applicant has not yet been relieved from the present post, but the impugned order of transfer has been issued as per the provisions of Transfer Act of 2005.

4. On perusal of record, it reveals that the applicant has not given options regarding places of choice for her transfer. The impugned order of transfer shows that the applicant has been transferred on her request though she never made request for her transfer. *Prima facie*, the impugned order is in violation of the Transfer Act of 2005 and also in contravention of the guidelines given by the Government vide Government Resolutions dated 07.07.2020 & 23.07.2020. The applicant is still working on the said post. Hence, it is just and proper to stay the execution and operation of the impugned

order dated 5<sup>th</sup> September, 2020 so far as the applicant is concerned. Hence, the execution and operation of the impugned order of transfer to the extent of applicant is stayed till filing of the affidavit in reply by the respondents.

5. Issue notices to the respondents, returnable on 26.10.2020.

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

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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.

11. S.O. to 26.10.2020.

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

**VICE CHAIRMAN**

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**ORIGINAL APPLICATION NO. 342 OF 2020**  
**(Smt. Savita N. Murmude Vs. State of Maharashtra & Ors.)**

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

**DATE : 21.09.2020**

**ORAL ORDER :**

Heard Shri Shamsunder B. Patil, 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 completed normal tenure of posting at Latur and she has been transferred by the impugned order dated 5<sup>th</sup> September, 2020 from Latur to Lohara, District Osmanabad, without following the guidelines given by the Government vide Government Resolutions dated 07.07.2020 & 23.07.2020 (Annexure "A-5" page Nos. 22-24). He has submitted that the applicant never made request for her transfer at Osmanabad District. The applicant has also not given places for choices for transfer. He has submitted that the impugned order of transfer is issued in contravention of the guidelines given by the Government vide Government Resolutions dated 07.07.2020 & 23.07.2020 and the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of

Official Duties Act, 2005 (for short “the Transfer Act of 2005). He has submitted that the applicant has not yet been relieved from the present post. He, therefore, prayed to stay the execution and operation of the impugned transfer order.

3. Learned Chief Presenting Officer has submitted that the applicant has completed her normal tenure of posting and, therefore, she has been transferred. He has submitted that the applicant has not yet been relieved from the present post, but the impugned order of transfer has been issued as per the provisions of Transfer Act of 2005.

4. On perusal of record, it reveals that the applicant has not given options regarding places of choice for her transfer. The impugned order of transfer shows that the applicant has been transferred on her request though she never made request for her transfer. *Prima facie*, the impugned order is in violation of the Transfer Act of 2005 and also in contravention of the guidelines given by the Government vide Government Resolutions dated 07.07.2020 & 23.07.2020. The applicant is still working on the said post. Hence, it is just and proper to stay the execution and operation of the impugned

order dated 5<sup>th</sup> September, 2020 so far as the applicant is concerned. Hence, the execution and operation of the impugned order of transfer to the extent of applicant is stayed till filing of the affidavit in reply by the respondents.

5. Issue notices to the respondents, returnable on 26.10.2020.

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



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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.

11. S.O. to 26.10.2020.

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

**VICE CHAIRMAN**

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