

ORIGINAL APPLICATION NO. 375 OF 2020
(Amol M. Naikwade Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. Record shows that affidavit in reply on behalf of respondent No. 4 is filed.
3. At the request of learned Chief Presenting Officer, short time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3.
4. S.O. to 13.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 376 OF 2020
(Govind K. Surnar Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. Record shows that affidavit in reply on behalf of respondent No. 4 is filed.
3. At the request of learned Presenting Officer, short time is granted for filing affidavit in reply on behalf of respondent Nos. 1 to 3.
4. S.O. to 13.10.2021.
5. Interim relief granted earlier to continue till next date.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 418 OF 2020
(Popat K. Gonde & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer, short time is granted for filing affidavit in reply on behalf of respondents.
3. S.O. to 13.10.2021.
4. Interim relief granted earlier to continue till next date.

MEMBER (A)

MEMBER (J)

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

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

DATE : 21.09.2021

ORAL ORDER :

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

2. Record shows that affidavit in reply on behalf of respondent Nos. 1 to 3 is filed.
3. At the request of learned Presenting Officer, short time is granted for filing affidavit in reply on behalf of respondent No. 4.
4. S.O. to 13.10.2021.
5. Interim relief granted earlier to continue till next date.

MEMBER (A)

MEMBER (J)

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

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply on behalf of respondent Nos. 1 to 3 is filed.
3. At the request of learned Presenting Officer, short time is granted for filing affidavit in reply on behalf of respondent No. 4.
4. S.O. to 13.10.2021.
5. Interim relief granted earlier to continue till next date.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 14 OF 2021
(Jaykumar R. Koli Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate holding for Shri C.V. Dharurkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.
3. S.O. to 21.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 105 OF 2021
(Smita K. Suryawanshi Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. At the request of learned Presenting Officer for the respondents, short time is granted for filing affidavit in reply.
3. S.O. to 21.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 401 OF 2021
(Ramreddy R. Aitwar Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Shri Shamsunder B. Patil, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 22.10.2021.

MEMBER (A)

MEMBER (J)

M.A. No. 61/2021 in O.A. No. 127/2020
(Resha P. Karhale Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

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

MEMBER (A)

MEMBER (J)

M.A. No. 63/2021 in O.A. No. 1065/2019
(Dr. Jahagirdar D. Nizam Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

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

3. S.O. to 20.10.2021.

MEMBER (A)

MEMBER (J)

M.A. No. 168/2021 in O.A. No. 566/2017
(Rajendra G. Mane Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

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

3. S.O. to 12.10.2021.

MEMBER (A)

MEMBER (J)

O.A. St. No. 1286/2021 with M.A. No. 300/2021
(Jagdish S. Jatap & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. Learned Advocate for the applicants placed on record a copy of Press Note dated 17.09.2021 issued by the respondent No. 2 - M.P.S.C. Copy of the said Press Note is taken on record and marked as document 'X' for the purpose of identification. He submits that in view of this Press Note, the grievance of the applicants raised in the Original Application is redressed.

3. In view of the same, nothing remains to be decided in the O.A. Hence, the O.A., as well as, M.A. stand disposed of, as the grievance being redressed. There shall be no order as to costs.

MEMBER (A)

MEMBER (J)

C.P. St. No. 394/2019 in O.A. No. 200/2016
(Shaik Rahim Shaikh Chand Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. There are office objections and those are kept open.
3. Perusal of record shows that in communication dated 05.04.2018 (Annexure A-8) addressed to the learned Advocate for the applicant by the respondent No. 4 i.e. the Executive Engineer, P.W.D., Osmanabad, it is stated that the benefit as contemplated in order dated 26.08.2016 passed by this Tribunal in O.A. No. 200/2016 is granted to the applicant by the office order dated 16.12.2016. It seems that the applicant in the present C.P. has not dealt with the said office order dated 16.12.2016.
4. In view of above, learned Advocate for the applicant seeks leave of this Tribunal to raise additional pleadings in the present C.P.
5. Leave as prayed for by the applicant is granted.
6. S.O. to 12.10.2021.

MEMBER (A)

MEMBER (J)

C.P. No. 09/2019 in O.A. No. 527/2012
(Anantrao V. Saudagar Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Mujahed Hussain, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri D.T. Devane, learned Advocate for respondent No. 3.

2. Learned Advocate for the applicant seeks permission to withdraw the present C.P. stating that the liberty may be granted to pursue the appropriate remedy in respect of monetary benefits.

3. Learned Presenting Officer for respondent Nos. 1 and 2 and learned Advocate for respondent No. 3 have no objection for withdrawal of the present C.P.

4. In these circumstances, permission is granted to the applicant to withdraw the present C.P. and liberty is granted to him to pursue appropriate remedy in accordance with law. Accordingly, C.P. stands disposed of as withdrawn with no order as to costs.

MEMBER (A)

MEMBER (J)

C.P. No. 34/2019 in O.A. No. 925/2017
(Mahadeo B. Khandare Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Smt. Amruta Paranjape-Menzes, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 and 2 and Shri A.R. Lukhe, learned Advocate holding for Shri Deepak Rajput, learned Advocate for respondent No. 4. Shri A.B. Shinde, learned Advocate for respondent No. 3, **absent**.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit in C.P.

3. S.O. to 07.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 410 OF 2019
(Santosh R. Jagdale Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent No. 1 and Shri M.R. Kulkarni, learned Advocate for respondent No. 2.

2. Pleadings are complete. The present matter is pertaining to appointment. Hence, the present matter is admitted and it be fixed for final hearing on 22.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 1071 OF 2019
(Virbhadra G. Idage Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant (**Leave Note**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondent No. 1 and Shri N.U. Yadav, learned Advocate for respondent Nos. 2 and 3.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 25.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 145 OF 2021
(Jagdish N. Saindane Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Smt. Archana Bhange, learned Advocate holding for Shri A.S. Bayas, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

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

3. S.O. to 25.10.2021.

MEMBER (A)

MEMBER (J)

M.A. No. 453/2019 in O.A. St. No. 1700/2019
(Surajkumar G. Tambe Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Taher Ali Quadri, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 01.10.2021.

MEMBER (A)

MEMBER (J)

M.A. No. 175/2020 in O.A. St. No. 462/2020
(Umesh B. Jadhav Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate holding for Shri Ashish B. Rajkar, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 07.10.2021.

MEMBER (A)

MEMBER (J)

M.A. St. No. 291/2020 in O.A. No. 493/2018
(Rajendra K. Shimpi Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri H.A. Joshi, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. There is office objection that there is no separate application for condonation of delay.
3. Learned Advocate for the applicant seeks time for complying the above said office objection. Time granted.
4. S.O. to 08.10.2021.

MEMBER (A)

MEMBER (J)

M.A. No. 299/2021 in O.A. No. 422/2020
(Nilesh R. Tagad & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicants, S.O. to 01.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 738 OF 2016
(Amol D. Bedse Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri N.L. Choudhari, learned Advocate for respondent No. 4.

2. At the request of learned Advocate for the applicant, time is granted for filing rejoinder affidavit.

3. S.O. to 22.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 575 OF 2016
(Aniket N. Mundhe Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3. Shri Amit Savale, learned Advocate for respondent No. 4, **absent**.

2. Learned Advocate for the applicant filed rejoinder affidavit to the affidavit in reply filed by the respondent Nos. 3 & 4. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 25.10.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 804 OF 2017
(Prakash D. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

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

3. S.O. to 08.10.2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 57 OF 2018
(Uttam T. Dabhade & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. During the course of arguments, it is revealed that copy of the order and judgment dated 23.09.1998 passed in O.A. Nos. 1347/1998, 1348/1998 & 1350/1998 filed by this applicants separately is produced at Annexure A-4, page No. 42 of paper book. However, the said document is incomplete. In view of the same, call for original record of the said three Original Applications.
3. Learned Presenting Officer for the respondents to call for original record, if necessary.
4. The present matter is to be treated as part heard.
5. S.O. to 25.09.2021

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 119 OF 2018
(Jyoti L. Rathod Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. At the request and by consent of both the sides, S.O. to 25.09.2021 for final hearing.

MEMBER (A)

MEMBER (J)

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

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, Shri V.G. Pingle, learned Advocate for respondent Nos. 4 to 6 and Shri S.D. Joshi, learned Advocate for respondent Nos. 8 & 9. None present on behalf of respondent No. 7, though duly served.

2. At the request and by consent of both the sides, S.O. to 30.09.2021 for final hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.544/2021
(Jalpat Vasave Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. By earlier order, learned P.O. was advised to produce minutes of the meeting of the Civil Services Board which would have clarified background facts, such as follows;;

- (a) Whether the applicant had actually applied for transfer as per impugned order so as to be effected "on request transfer".
- (b) If answer to point (a) above is in negative then what prompted respondents to issue impugned order as request transfer though same may be may be mid-term transfer on administrative ground.

3. However, learned P.O. informed today that he requires more time for making record available before the Tribunal.

4. In the meanwhile, status quo be maintained.

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O.A.NO.544/2021

5. Issue notice to the respondents, returnable on 26.10.2021.
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. S.O. to 26.10.2021.
11. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO.545/2021
(S.P.Patil Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. Learned P.O. has produced copy of minutes of meeting of Civil Services Board which was held on 27-08-2021. It is evident from the record produced that though the impugned transfer order is issued as a request transfer, however, the minutes of meeting of Civil Services Board has no such mention to corroborate the same. Surprisingly, respondents have not mentioned reasons for transfer of the applicant whatsoever.

3. Learned P.O. submits verbally that the applicant has already been relieved on 09-09-2021.

4. In view of above background respondents are directed that if the post at Shahada is vacant then the applicant may be retained there and be allowed to rejoin if already relieved. In case, if somebody else is posted and joined on the said post then the applicant may join on the post where she has been posted, subject to outcome of the O.A.

5. Learned P.O. to inform the Tribunal the status of action taken on next date of hearing.

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O.A.NO.545/2021

6. Issue notice to the respondents, returnable on 18.10.2021.
7. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
8. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
10. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
11. S.O. to 18.10.2021.
12. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

ORIGINAL APPLICATION NO.241/2019
(Chandrakant Patange & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri V.B.Wagh, learned Advocate for the Applicant and Shri B.S.Deokar, learned Presenting Officer for the Respondent no.1 and Shri G.N.Patil learned Advocate for respondent nos.2 to 5.

2. Learned Advocate for the applicant has mentioned that in another O.A.No.297/2019 learned Advocate Shri A.S.Deshmukh has argued the matter and sum and substance of the matter as facts and relief sought are identical, therefore, separate arguments may not be required in the instant case.

3. Learned Advocate for respondent nos.2 to 5 Shri G.N.Patil submitted that this matter may be heard on 24-09-2021 as similar matter i.e. O.A.No.297/2019 is kept on the same date which is for final hearing and that matter is part heard. Learned P.O. consents to the same.

4. Learned Advocate for the applicant has submitted certain documents. Those are taken on record.

5. S.O. to 24-09-2021.

MEMBER (A)

**O.A.NOS.52, 155 AND 53 ALL OF 2020 &
O.A.NO.283 OF 2021
(Prmod P. Kolhande & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Harish S. Bali, learned Advocate for the applicant in all the O.As. and Shri B.S. Deokar, Smt. Sanjivani K. Deshmukh-Ghate, Shri S.K. Shirse and Shri V.R. Bhumkar, learned Presenting Officers for the respondents in respective O.As.

2. Learned Advocate for the applicants has filed affidavits-in-rejoinder in O.A.No.53/2020 and O.A.No.283/2021. The same are taken on record and copies thereof have been served on the other sides.

3. S.O. to 21.10.2021.

MEMBER (J)

O.A.NOS.960 TO 964 ALL OF 2019
(Govind N. Londhe & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri I.D. Maniyar, learned Advocate holding for Shri Vilas S. Panpatte, learned Advocate for the applicants in all the O.As. and Shri M.S. Mahajan, learned C.P.O., Shri S.K. Shirse, Shri V.R. Bhumkar, Shri N.U. Yadav and Smt. Deepali S. Deshpande, learned Presenting Officers for the respondents in respective O.As.

2. Record shows that pleadings up to rejoinder are complete.
3. S.O. to 21.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.1090 OF 2019
(Suresh B. Sonwane Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. At the request of learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 21.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.525 OF 2020
(Anita R. Pagare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021
ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.
5. S.O. to 21.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.132 OF 2020
(Jaywant B. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder.
3. S.O. to 22.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.453 OF 2020
(Bhatu R. Mahale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021
ORAL ORDER :

Shri Vinod P. Patil, learned Advocate for the applicant is **absent**. Heard Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of respondent nos.1 to 4 is taken on record.
3. S.O. to 25.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.13 OF 2021
(Ajaykumar B. Chavan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021
ORAL ORDER :

Heard Ms. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri S.K. Shirse, learned Presenting Officer for the respondent nos.1 to 3 and Shri Thoke Patil, learned Advocate for the respondent no.4.

2. At the request of learned Advocate for the respondent no.4, one more last chance is granted for filing affidavit-in-reply.

3. S.O. to 4.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.460 OF 2021
(Dr. Narayan G. Lokhande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021
ORAL ORDER :

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

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.
3. S.O. to 20.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.461 OF 2021
(Dr. Madhav B. Shinde Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Shamsundar B. Patil, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent nos.1 to 5. None present on behalf of respondent no.6 though duly served.

2. At the request of learned P.O., time is granted for filing affidavit-in-reply on behalf of respondent nos.1 to 5.

3. S.O. to 20.10.2021. Interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO.151 OF 2021
(Dattatraya A. Ubale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021
ORAL ORDER :

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

2. Pleadings are complete. The matter is admitted and it is fixed for final hearing on 11.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.209 OF 2021
(Sayyed Shoukatali Sabirali Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021
ORAL ORDER :

Heard Shri H.M. Shaikh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request and by consent of both the sides, S.O. to 14.10.2021 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO.747 OF 2019
WITH
ORIGINAL APPLICATION NO.948 OF 2019
(Prashant M. Wayukar & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the applicants in both the O.As. and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in both the O.As.

2. The present matter are already part heard.
3. At the request and by consent of both the sides, S.O. to 06.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.721 OF 2017
(Subhash K. Parlikar Vs. State of Maharashtra & Ors.)

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

DATE : 21.09.2021

ORAL ORDER :

Smt. Suchita A. Dhongde, learned Advocate for the applicant has filed **leave note**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. In view of leave note of learned Advocate for the applicant, S.O. to 14.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO.557 OF 2021
(Dr. Sanjay K. Kasralikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021
ORAL ORDER :

Heard Ms. Poonam Bodke Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that in the title clause of the Original Application correction is required. She requires to add the Principal Secretary of Public Health Department as party respondent additionally. She further submits that in prayer clause the transferring authority is wrongly shown as respondent no.2 instead of respondent no.3.

3. Learned Advocate therefore, seeks leave of this Tribunal to carry out necessary correction. Leave as prayed for is granted.

4. The applicant to carry out correction forthwith.

5. The Original Application is filed challenging the impugned transfer order of the applicant dated 06.08.2021 (Annex. 'A-2') and transfer order of the respondent no.5 dated 17.09.2021 (Annex. 'A-3'). By the said transfer orders, the applicant has been transferred from his present post at Primary Health Centre, Mugat, Tq. Mudkhed, Dist.

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O.A.557/2021

Nanded to Ayurved Dispensary, Kamjalga, Tq. Mukhed, Dist. Nanded whereas the respondent no.5 has been transferred at the post held by the applicant.

6. It is the contention of the applicant that the applicant belongs to Group 'A' medical officer having pay scale of 6th Pay Commission of Rs. 15600-39100 + G.P. of Rs. 5400/-. In view of same, his competent transferring authority is respondent no.1 i.e. State Government and not respondent no.3 i.e. the Director of Health Services.

7. The transfer order of the respondent no.5 who belongs to same category and cadre of the applicant is issued by the respondent no.1. In view of same, the impugned transfer order indicates demotion of the applicant as the applicant is shown in the cadre of group 'B' and as such it is illegal order.

8. Apart from that, it is contended that the applicant was working in the present post since 04.01.2016 till impugned order is issued. It is further contention of the applicant that the applicant is still working on his present post and he is not yet relieved.

9. In view of same, the applicant seeks interim stay to the execution and implementation of the impugned transfer order of applicant as well as respondent no.5.

10. Learned P.O. appearing on behalf of the respondent nos.1 to 3 and 6 opposed the submission made on behalf of the applicant and submitted that the impugned transfer order of the applicant dated 06.08.2021 (Annex. 'A-2') itself shows that the applicant has been relieved from his present post and as such no interim relief can be granted. He further submits that he would take instructions and file appropriate reply.

11. After having considered the contentions raised in O.A. and Annexures thereof, prima-facie, it is evident that the impinged transfer order of the applicant dated 06.08.2021 (Annex. 'A-2') is issued by the respondent no.3 who is not competent transferring authority of the applicant. As per Section 6 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, the competent transferring authority for the officers mentioned in the clause (a) is Chief Minister and clause (b) is Minister In-charge in consultation with Secretaries of the concerned departments.

12. Order dated 04.01.2016, page no.18-A produced on record would show that the applicant belongs to group 'A' category having pay scale of Rs.15600-39100 + G.P. Rs.5400. In view of same, the respondent no.1 seems to be

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O.A.557/2021

competent transferring authority. It is pertinent to note that the impugned transfer order of the respondent no.5 dated 17.09.2021 (Annex. 'A-3') is issued by the respondent no.1.

13. In view of above, prima-facie, impugned transfer order of the applicant seems to be illegal. Hence, it would be just and proper to stay the execution and implementation of the impugned transfer order of the applicant. Incidentally by impugned order of respondent no.5 dated 17.09.2021, the said respondent no.5 has been transferred at the place of applicant. The same is also required to be stayed temporarily.

14. In view of above, execution and implementation of impugned transfer orders of the applicant dated 06.08.2021 (Annex. 'A-2') and transfer order of the respondent no.5 dated 17.09.2021 (Annex. 'A-3') is stayed till filing of reply by the Respondents.

15. Issue notice to the respondents, returnable on 25.10.2021.

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

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O.A.557/2021

17. 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.

18. 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.

19. 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.

20. S.O. to 25.10.2021.

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

22. The present matter be placed on separate board.

MEMBER (J)

ORIGINAL APPLICATION NO. 558/2021
(Prakash S. Aghav-Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 21.09.2021

ORAL ORDER :

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

2. The present Original Application is filed challenging the impugned transfer order of the applicant dated 17.9.2021 (Annex. A-3) thereby transferring the applicant from the post of Deputy Collector (General), Beed to the post of Deputy Collector (E.G.S.), Washim on the vacant post.

3. During the course of arguments the learned C.P.O. for the respondents placed on record copy of communication dated 20.9.2021 addressed to the respondent no. 1 - The Additional Chief secretary, Revenue & Forest Department, Mantralaya, Mumbai by the respondent no. 3 - The Collector, Beed, which is taken on record and marked as document 'X' for the purpose of identification. The said letter is issued in view of the order bearing No. २०२१/आस्थापना/बदली आदेश/१/४उपजिल्हाधिकारी संवर्ग, दिनांक २०.९.२०२१, which is placed on record by the learned Advocate for the

applicant and marked as document 'X-1' for the purpose of identification.

4. Upon reading both the documents i.e. document 'X' and document 'X-1', it reveals that the applicant has been relieved from the present post on 20.9.2021 (After Noon) and one Shri Santosh Raut, Resident Deputy Collector, Beed is directed to take the charge of the post of the applicant and report the compliance. Learned C.P.O. submits that he has no instructions as to whether said Shri Raut, R.D.C., Beed has actually taken the charge from the applicant and submitted the compliance report or not. Learned C.P.O. for the respondents further submitted that he would produce on tomorrow i.e. on 22.9.2021 the record of the Civil Services Board showing approval of the immediate superior authority of showing the compliance of section 4(5) of the Transfer Act, 2005 as referred in the impugned transfer order of the applicant.

5. Learned Advocate for the applicant submits that the applicant has not handed over the charge of his post to Shri Santosh Raut, R.D.C., Beed as of now.

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O.A. NO. 558/2021

6. Hearing on interim relief could not be completed today due to want of Civil Services Board Report, which was necessary.

7. In the above circumstances, S.O. to 22.9.2021 for producing the record of Civil Services Board by the learned C.P.O. for the respondents and till then the parties are directed to maintain Status quo as on today.

MEMBER (J)

Date : 21.9.2021

M.A. 38/2020 IN O.A. ST. 2381/2019

(Sujata R. Parsode & Anr. V/s State of Maharashtra & Ors.)

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

1. Shri Bharat N. Gadegaonkar, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned P.O. for respondents, are present.

2. Circulation is granted. Issue notice to the respondents in M.A. No. 38/2020, returnable on 22.10.2021. The case be listed for admission hearing on 22.10.2021.

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

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

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

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

REGISTRAR

**M.A.NO. 94/2021 IN O.A.NO. 1060/2019
(Devidas D.Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Surendra V. Suryawanshi, learned Advocate for the applicant in the present M.A., Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 2 to 8 and Shri Dhananjay B. Thoke, learned Advocate for respondent No. 1 (applicant in O.A.).

2. Learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 5 & 7 in the present M.A. and the same is taken on record and copy thereof has been served on the other side.

3. Learned Advocate for the applicant in O.A. submits that he has not received the copy of the present M.A. Therefore, learned Advocate for the applicant in M.A. has furnished a copy of the present M.A. to the learned Advocate for the applicant in O.A.

4. In the aforesaid affidavit in reply, the respondent Nos. 5 & 7 have not given any cogent reason for not complying with the operative part of judgment dated 8.4.2019 delivered by the Hon'ble High Court of

**:: - 2 - :: M.A.NO. 94/2021 IN
O.A.NO. 1060/2019**

Judicature at Bombay Bench at Aurangabad in W.P. No. 112/2017. On the other hand, from Annexure 'A-8', page 124 of paper book of O.A. it appears that the Sub Divisional Officer, Pachora, District Jalgaon had decided to get guidance of State Government whether to offer appointment to Shri Devidas Dhanraj Patil resident of village Arve, Tq. Pachora, Dist. Jalgaon instead of implementing the findings of enquiry on merit of the matter as determined by himself. It is noticed that the Hon'ble High Court in the said W.P. had directed to decide the matter within a period of three months which implies to give effect to the decision and the enquiry officer himself is competent to give effect to the decision and finding of the enquiry. Respondent Nos. 5 & 7 are directed to file affidavit in reply in M.A. No. 94/2021 justifying non-implementation of operative part of the judgment delivered by the Hon'ble High Court of Judicature at Bombay Bench at Aurangabad in W.P. No. 112/2017.

5. M.A. No. 94/2021 is for filing affidavit in reply by the respondents including respondent No. 1 (Applicant in O.A. No. 1060/2019).

**:: - 3 - :: M.A.NO. 94/2021 IN
O.A.NO. 1060/2019**

6. As the pleadings in O.A. No. 1060/2019 are complete, it be kept for final hearing on the next date.

7. In view of above, S.O. to 29.10.2021.

MEMBER (A)

HDD ORAL ORDERS 21.09.2021

**ORIGINAL APPLICATION NO. 184 OF 2019
(Keshav J. Wable Vs. State of Maharashtra & Ors.)**

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Surendra V. Suryawanshi, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has filed two documents as below :

a) Form 10, NON-AVAILABILITY CERTIFICATE dated 20.09.2021 issued by Registrar, (Birth & Death), Municipality Hingoli.

b) Secondary School Examination Certificate of Shri Wable Gajanan Jayantrao.

3. Arguments advanced by both the parties are heard at length. Closed for orders.

MEMBER (A)

**ORIGINAL APPLICATION NO. 931 OF 2018
(Manik P. Darade Vs. State of Maharashtra & Ors.)**

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Arguments advanced by both the parties are heard at length. Closed for orders.

MEMBER (A)

**ORIGINAL APPLICATION NO. 578 OF 2016
(C.H. Dongaonkar & Ors. Vs. State of Maharashtra &
Ors.)**

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

DATE : 21.09.2021

ORAL ORDER :

Smt. Suchita Amit Dhongde, learned Advocate for the applicants has filed leave note. Shri M.P. Gude, learned Presenting Officer for the respondent No. 1 and Shri D.T. Devane, learned Advocate for respondent Nos. 2 to 5, are present.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 12.10.2021.

MEMBER (A)

**M.A.NO. 330/2020 IN O.A.NO. 931/2019
(Sumanbai B. Kankute Vs. State of Maha. & Ors.)**

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

DATE : 21.09.2021

ORAL ORDER :

Shri A.G. Jadhav, learned Advocate for the applicant in M.A. 330/2020 (**absent**). Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 2 to 4 and Shri Manish P. Tripathi, learned Advocate for the respondent No. 1 in M.A. (applicant in O.A.).

2. The present Miscellaneous Application has been filed by the applicant viz. Sumanbai Baburao Kankute seeking directions to the applicant in O.A viz. Ashwini Pravin Kankute to add her in O.A. No. 931/2019 as a party respondent.

3. It appears that in the O.A. No. 931/2019 there is no mention of applicant of M.A. as respondent. However, relief has been sought on the ground that the applicant in M.A. is non-cooperative. It amounts to making allegations against the person who is not party in the proceeding and thereby attempting to seek relief. Therefore, *prima facie*, there is merit in the M.A. and the same is allowed. The name of applicant in M.A. viz. Sumanbai Baburao Kankute be included in O.A. No. 931/2019 as a party respondent.

:: - 2 - ::

**M.A.NO. 330/2020 IN
O.A.NO. 931/2019**

4. Accordingly, the present M.A. No. 330/2020 stands disposed of with no order as to costs.

MEMBER (A)

HDD ORAL ORDERS 21.09.2021

**ORIGINAL APPLICATION NO. 931 OF 2019
(Ashwini P. Kankute Vs. State of Maha. & Ors.)**

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

DATE : 21.09.2021

ORAL ORDER :

Heard Shri Manish P. Tripathi, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri A.G. Jadhav, learned Advocate for the proposed respondent (**absent**).

2. Learned Advocate for the applicant is directed to add the name of Sumanbai Baburao Kankute as a party respondent in the present Original Application on or before the next date.

3. S.O. to 25.9.2021.

MEMBER (A)

Date : 21.09.2021

ORIGINAL APPLICATION NO. 563 OF 2021

(Santosh E. Sawant V/s State of Maha. & Ors.)

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

1. Shri Vivek G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on 25.10.2021. The case be listed for admission hearing on **25.10.2021**.

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

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

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

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

REGISTRAR

