

**ORIGINAL APPLICATION NO. 363 OF 2021**  
**(Ganesh D. Nikam Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri Avinash A. Khade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. The present Original Application is filed by the applicant challenging the recruitment process for the post of Junior Clerk carried out by the respondent Nos. 1 to 3. That advertisement was for the recruitment for the post of Junior Clerk in the year 2019. The applicant belongs to Scheduled Tribe Project Affected Persons Category. He secured 122 marks. The respondent No. 4 belongs to Scheduled Tribe Category from Sports quota. He secured 112 marks. Though he secured less marks than the applicant but not less than cut of marks. But according to the applicant that is not sustainable. In original advertisement there were 13 posts each in these two categories. There was subsequent development whereby, the Government issued letter

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dated 11.06.2021 (which is not produced on record) whereby the Government decided to fill in 50% posts by taking in to consideration the constitutional and parallel reservation.

3. Learned Advocate for the applicant submits that the respondents selected 7 candidates from the category of S.T. Sports quota, whereas selected 6 candidates from the category of S.T. Project Affected Persons category. The applicant aggrieved by the selection of the respondent No. 4 from S.T. Sports category quota. In view of above, at this interim stage, we are unable to visualize broader perspective of matter, if any which can be by way of affecting any other selected candidates also. In view of this, at this stage, we are not inclined to grant any interim relief.

4. Issue notices to the respondents, returnable on 30.08.2021.

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

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly

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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. S.O. to 30.08.2021.

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

11. The present matter be placed on separate board.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 103 OF 2020**  
**(Viswanath G. Nampalle Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri O.Y. Kashid, 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 wants to amend the Original Application, as the certain orders were not received before filing of the present Original Application.

3. S.O. to 13.08.2021 for filing amendment application.

**MEMBER (A)**

**MEMBER (J)**

**M.A. St. No. 843/2021 in O.A. St. No. 844/2021**  
**(Vivekanand V. Auti & Anr. Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. During arguments advanced on behalf of the applicant, the learned Advocate for the applicant submits that before filing of the present Original Application for certain reliefs, the applicant had made representation to the Government on 12.07.2021 to consider the cases of the applicants at par with the other similarly placed candidates who were sent for training. But there is no mention in the pleadings in the O.A. about that representation and same is also not placed on record. Learned Advocate for the applicant submits that he would place copy of said representation on record. Permission as sought for is granted.

3. S.O. to 27.07.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 330 OF 2018**  
(Pawangir L. Giri Vs. State of Maharashtra & Ors.)

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri O.Y. Kashid, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time for filing rejoinder affidavit. Time granted.
3. S.O. to 31.08.2021.
4. The present matter be placed on separate board.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 337 OF 2019**  
**(Namdev D. Londhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri O.Y. Kashid, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

2. The present Original Application is filed challenging the order of removal of service of the applicant dated 28.05.2018. Pleadings up to sur-rejoinder are complete.

3. In view of same, the present O.A. is admitted and it be kept for final hearing on 31.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 614 OF 2018**  
**(Dr. Minakshi B. Pathak Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos. 1 to 3. Shri Rahul Pawar, learned Advocate for respondent Nos. 4 & 5 (**Absent**).

2. The affidavit in reply is filed only on behalf of respondent Nos. 1 to 3.

3. At this stage, learned Advocate for the applicant submits that during pendency of the present O.A., the applicant has retired on superannuation. However, her additional two years of service after 58 years is not considered for pension. In view of same, he wants to amend the present Original Application. He seeks adjournment for the same.

3. Hence, time is granted for making application for amendment.

4. S.O. to 14.09.2021

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 424 OF 2020**  
**(Anil D. Kondhare Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri S.R. Shirsath, learned Advocate for the applicant and Shri V.R. Bhunkar, learned Presenting Officer for the respondents.

2. Record shows that affidavit in reply is filed on behalf of respondent Nos. 2 to 4. Copy of the said affidavit in reply is collected by learned Advocate for the applicant on 19.07.2021.

3. Learned Advocate for the applicant submits that during pendency of the present Original Application, the applicant has passed requisite computer examination of M.S.C.I.T. and typing examination for Marathi-30 and English-30 & 40. He has placed on record copies of the said certificates. Same are taken on record and marked as document 'X' collectively for purpose of identification. He further submits that the respondents are likely to fill up the promotional posts in near future. He invited our attention to Annexure A-6 (paper book page No. 25), which is list of seniority

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of the candidates for promotion to the post of Junior Clerk from the cadre of Peon and the said list is valid for the period of 01.09.2020 to 21.08.2021. In view of the same, learned Advocate for the applicant submits that there is urgency in the matter.

4. As the pleadings are complete and considering the nature of proceedings, the present matter is fixed for hearing at the stage of admission on 20.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 174 OF 2021**  
**(Shaikh Musa Shaikh Mohioddin Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. Record shows that pleadings up to rejoinder are complete. The present Original Application is filed by the applicant challenging initiation of Departmental Enquiry.

3. In view of same, the present O.A. is admitted and it be kept for final hearing on 15.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 284 OF 2021**  
**(Jitendra S. Sonawane Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that notice issued against the respondent No. 1 is returned as un-served. He submits that nomenclature in the title of respondent No. 1 should have been 'The Principal Secretary' instead of 'Secretary'. He seeks permission to amend the O.A. in respect of nomenclature of respondent No. 1.

3. Permission is granted to amend the O.A. The applicant shall amend the O.A. forthwith.

4. Issue fresh notices to the respondent No. 1, returnable on 31.08.2021.

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

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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. S.O. to 31.08.2021.

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

11. The present matter be placed on separate board.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 300 OF 2021**  
**(Aabasaheb B. Ghayal Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. Learned Advocate for the applicant submits that notice issued against the respondent No. 1 is returned as un-served. He submits that nomenclature in the title of respondent No. 1 should have been 'The Principal Secretary' instead of 'Secretary'. He seeks permission to amend the O.A. in respect of nomenclature of respondent No. 1.

3. Permission is granted to amend the O.A. The applicant shall amend the O.A. forthwith.

4. Issue fresh notices to the respondent No. 1, returnable on 31.08.2021.

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

//2// O.A. No. 300/2021

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. S.O. to 31.08.2021.

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

11. The present matter be placed on separate board.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 713 OF 2017**  
**(Venkat D. Mundhe Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the sides, S.O. to 17.08.2021.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO. 96 OF 2018**  
**(Arun K. Tike Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. At the request and by consent of both the sides, S.O. to 17.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.45/2019**  
**(Sitaram Bhokare Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri S.G.Kulkarni, learned Advocate for the applicant and Smt. Deepali Deshpande, learned Presenting Officer for the respondents.

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

3. S.O. to 31.08.2021.

**MEMBER (A)**

YUK ORAL ORDERS 23.07.2021

**ORIGINAL APPLICATION NO.439/2020  
(Bhimrao Bangar Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri M.K.Deshpande, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant seeks time to file affidavit in rejoinder. In the interest of justice, time is granted.

3. S.O. to 30.08.2021.

**MEMBER (A)**

YUK ORAL ORDERS 23.07.2021

**M.A.NO.96/2020 IN O.A.ST.NO.239/2020  
(Kailas Walekar Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri Ashish Rajkar learned Advocate holding for Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri N.U.Yadav, learned Presenting Officer for the respondents.

2. Learned P.O. seeks time to file affidavit in reply. Time is granted.
3. S.O. to 31.08.2021.

**MEMBER (A)**

YUK ORAL ORDERS 23.07.2021

**M.A.NO.130/2020 IN O.A.NO.114/2020  
(Dagdu Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Ku. Preeti Wankhade, learned Advocate for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for adjournment. Adjournment is granted.
3. S.O. to 30.07.2021.

**MEMBER (A)**

YUK ORAL ORDERS 23.07.2021

**ORIGINAL APPLICATION NO.583/2018**  
**(Sahebrao Sormare Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri Ashish Rajkar learned Advocate holding for Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. Learned P.O. files communication dated 13-07-2021 addressed to learned CPO by the respondents. It is taken on record and copy served on the other side. By this communication the respondents have disagreed in toto with the computation sheet filed by the applicant. The matter is already fixed for final hearing.

3. S.O. to 02.09.2021.

**MEMBER (A)**

**C.P.NO.52 OF 2018 IN O.A.NO.563 OF 2016**  
**(Shri Devidas K. Kardule Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. At the request of learned P.O., time is granted for filing affidavit-in-reply/ ascertaining the exact position.
3. S.O. to 14.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.19 OF 2019 IN O.A.NO.226 OF 2016**  
**(Shri Shivram N. Dhapate Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri P.M. Shinde, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Affidavit-in-rejoinder filed on behalf of the Applicant is taken on record and copy thereof has been served on the other side.
3. S.O. to 02.09.2021.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO.464 OF 2019**  
**(Shri Dayanand F. Gange Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri A.B. Rajkar, learned Advocate for the Applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant submits that during the course of the day he would file affidavit-in-rejoinder.
3. S.O. to 02.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.11 OF 2021 IN O.A.NO.558 OF 2011**  
**(Shri Vithal T. Jadhav Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri R.R. Wakekar, learned Advocate holding for Shri A.D. Sugdare, 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 Respondent No.3.
3. S.O. to 31.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.428 OF 2019 IN O.A.NO.707 OF 2019**  
**(Shri Rama M. Shinde Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Ms. Megha Y. Mali, learned Advocate holding for Shri Shivkumar K. Mathpati, learned Advocate for the Applicant, Shri V.R. Bhumkar, learned Presenting Officer for the Respondent Nos.1 to 5 and Shri G.N. Patil, learned Advocate for the Respondent No.6.

2. At the request of learned P.O. for the Respondent Nos.1 to 5 and learned Advocate for Respondent No.6, time is granted for filing affidavit-in-reply.

3. S.O. to 8.09.2021.

**MEMBER (A)**

**MEMBER (J)**

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

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

**DATE : 23.07.2021**

**ORAL ORDER :**

1. Heard Shri A.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 the Respondent Nos.4 to 6 and Shri S.D. Joshi, learned Advocate for the Respondent Nos.8 & 9. None appears for Respondent No.7 though duly served.

2. Shri V.G. Pingle, learned Advocate for the Respondent Nos.4 to 6 submits that Smt. Punam Mahajan appearing along with him in the matter and today she has difficulty to appear before the Tribunal.

3. Shri V.G. Pingle, learned Advocate for the Respondent Nos.4 to 6 and Shri S.D. Joshi, learned Advocate for the Respondent Nos.8 & 9 seek indulgence upto 27.7.2021.

4. S.O. to 27.7.2021 for hearing.

**MEMBER (J)**

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

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. At the request of the learned Advocate for the Applicant, S.O. to 27.07.2021 for hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO.47 OF 2021**  
**(Shri Bhanudas F. Gavit Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

4. S.O. to 05.08.2021 for hearing.

**MEMBER (J)**

ORAL ORDERS 23.07.2021-SAS

**ORIGINAL APPLICATION NO.229 OF 2021  
(Shri Balbirsingh Jaganath Prasad Tyagi Vs. State of  
Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. Record shows that notice upon Respondent No.3 is not served.

3. Learned Advocate for the Applicants submits that the Respondent No.3 is made a party only being a superior authority of Respondent No.4 and the said authority is not playing any role. Therefore, he seeks permission to delete the name of the Respondent No.3.

4. In view of above, permission to delete the name of the Respondent No.3 is granted. Amendment be carried out forthwith.

5. Learned P.O. for the Respondents seeks time for filing affidavit-in-reply. Time granted.

6. S.O. to 24.08.2021.

**MEMBER (J)**

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

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

**DATE : 23.07.2021**

**ORAL ORDER :**

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

2. Record shows that pleadings up to rejoinder are complete.

3. S.O. to 25.08.2021.

**MEMBER (J)**



**M.A.NO.218 OF 2020 IN O.A.NO.456 OF 2020**  
**(Shri Ashok B. Pawar Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Shri K.B. Jadhav, learned Advocate for the Applicant is **absent**.

Heard Shri D.R. Patil, 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 in M.A.

3. S.O. to 24.08.2021.

**MEMBER (J)**

ORAL ORDERS 23.07.2021-SAS

**ORIGINAL APPLICATION NO.203 OF 2019**

**(Shri Kailash N. Walkutti Vs. State of Maharashtra & Ors.)**

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

**DATE : 23.07.2021**

**ORAL ORDER :**

Heard Shri K.G. Salunke, learned Advocate for the Applicant and Shri I.S. Thorat, learned Presenting Officer for the Respondent Nos.1 to 3.

2. Record shows that affidavit-in-reply is filed on behalf of the Respondent Nos.1 to 3 to which affidavit-in-rejoinder is filed by the Applicant. The Respondent Nos.1 to 3 have also filed affidavit-in-sur-rejoinder.

3. Respondent No.4 is absent though duly served and has not filed affidavit-in-reply.

4. Learned P.O. for Respondent Nos.1 to 3 on instructions submits that the Respondent No.4 i.e. Smt. Sumitra Rajhans Jadhav is retired on superannuation w.e.f. 30.06.2021. He further submits that the Respondent No.3, Shri Omkar Rampratap Chandak, Executive Engineer, P.W.D., Jalna is present before the Tribunal. The said Respondent No.3 has consulted with the Respondent No.2 as regards this particular matter.

5. The Original Application is filed challenging the impugned transfer order of the Applicant dated 12.2.2019 (Annexure 'A-2', page no.14 of P.B.). The Applicant has also challenged the transfer order of the Respondent No.4 dated 12.2.2019 (Annexure 'A-5', page no.17 of P.B.). Both the impugned orders are passed by the Respondent No.2 i.e. Superintending Engineer, Public Works Circle, Aurangabad. By the transfer order of Respondent No.4, she has been brought in the place of Applicant and the Applicant has been transferred from Jalna to Partur.

6. Record shows that by order dated 06.03.2019 interim relief is granted by this Tribunal whereby both the impugned transfer orders were stayed.

7. Learned P.O. as well as Respondent No.3 who is present before this Tribunal submit that the Applicant is retiring within a period of 11 months i.e. by 30.06.2022. In view of the same, the Respondents are not going to disturb the present posting of the Applicant. The Applicant is working as Head Clerk, P.W.D. Jalna.

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**O.A.No.203/2019**

8. In view of above, nothing remains to be decided in the matter as the grievance of the Applicant said to have been redressed. Hence, the Original Application stands disposed of as grievance being redressed and nothing remains to be decided. No order as to costs.

**MEMBER (J)**

ORAL ORDERS 23.07.2021-SAS

**Date : 23.07.2021**

**M.A.NO.206/2021 IN O.A.ST.NO.608/2021**

**(Nitin Baviskar V/s State of Maharashtra & Ors.)**

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

1. Shri V.B.Wagh Id. Advocate for the applicant and Shri M.S.Mahajan Id. CPO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 26.08.2021. The case be listed for admission hearing on 26.08.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**Date : 23.07.2021**  
**ORIGINAL APPLICATION NO.362/2021**  
**(Usha Pawar V/s State of Maharashtra & Ors.)**

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

1. Shri H.P.Jadhav Id. Advocate for the applicant and Shri M.S.Mahajan Id. CPO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 26.08.2021. The case be listed for admission hearing on 26.08.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

**REGISTRAR**

**Date :23.07.2021**

**ORIGINAL APPLICATION NO.332 OF 2021**

**(Shri Suraj Balu Mundhe V/s The State of Maharashtra & Ors.)**

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

1. Shri S.T. Chalikwar, Id. Advocate for the applicant and Shri M.P. Gude, Id. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 26.08.2021. The case be listed for admission hearing on 26.08.2021.
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**

**Date :23.07.2021**

**M.A.NO.204 /2021 IN O.A.ST.NO.848/2021**

**(Shri Yogesh G. Salunkhe V/s The State of Maharashtra & Ors.)**

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

1. Shri A.S. Deshmukh, ld. Advocate for the applicant and Shri S.K. Shirse, ld. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A.No.204/2021, returnable on 26.08.2021. The case be listed for admission hearing on 26.08.2021.
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**



**Date :23.07.2021**

**ORIGINAL APPLICATION NO.344 OF 2021**

**(Shri Mohan Nagnathrao Komatwar V/s The State of Maharashtra & Ors.)**

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

1. Shri G.M. Shingare, ld. Advocate for the applicant and Smt. Deepali S. Deshpande, ld. P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 25.08.2021. The case be listed for admission hearing on 25.08.2021.
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**

**Date :23.07.2021**

**ORIGINAL APPLICATION NO.343 OF 2021**

**(Shri Raosaheb B. Neharkar V/s The State of Maharashtra & Ors.)**

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

1. Shri G.M. Shingare, ld. Advocate for the applicant and Shri M.S. Mahajan, ld. C.P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 25.08.2021. The case be listed for admission hearing on 25.08.2021.
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**