

**ORIGINAL APPLICATION NO. 391/2021**  
**(Dr. Mohan P. Shinde Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 30.7.2021**

**ORAL ORDER**

Heard Shri J.S. Deshmukh, 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 impugned communication dated 26.7.2021 (Annex. A-1 page 16 of paper book) would show that the Maharashtra Medical & Health Services Group-B Medical Officers who are drawing salary in the pay scale of Rs. 9300-34800 with Grade Pay of Rs., 4,600 per month are called for counseling before transfer, on 30.7.2021. Learned Advocate submits that though the applicant is drawing salary in the pay scale of Rs. 15600-39100 with Grade Pay of Rs. 6600/- and though the Grade Pay of the applicant is more than what is mentioned in Annex. A-1, still the name of the applicant is enlisted in the impugned list dated 26.7.2021 part of Annex. A-1 at sr. no. 70. However, learned Advocate for the applicant is not having knowledge as to whether options for posting before transfer are called from the applicant before calling

::-2-:: **ORIGINAL APPLICATION NO. 391/2021**

him for counseling. He seeks time for seeking necessary instructions from the applicant in that regard. Time granted.

3. S.O. to 6.8.2021.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 306/2021**  
**(Suwarna S. Bedre Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.7.2021**

**ORAL ORDER**

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

2. Though in the remark column of today's board it is mentioned that the notice of respondent no. 1 is returned un-served, on going through the record, it reveals that, notice on respondent no. 1 is served on 16.7.2021. The respondent nos. 2 to 4 are already served.

3. Learned Advocate for the applicant submits that interim relief in terms of prayer clause 9(a) of the O.A. regarding consideration of representations of the applicant. He submits that the said representations are not yet decided by the respondents.

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

5. S.O. to 26.8.2021.

**MEMBER (J)**

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

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)**  
**DATE : 30.7.2021**

**ORAL ORDER**

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

2. In view of the earlier order dated 30.6.2021 the learned Advocate for the applicant has placed on record the additional affidavit of the applicant along with some documents. The same is taken on record and copy thereof has been supplied to other side.

3. With the consent of both the sides, S.O. to 20.8.2021 for final hearing.

**MEMBER (J)**

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

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

**DATE : 30.7.2021**

**ORAL ORDER**

Heard Smt. Suchita A. Dhongde, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 and Shri N.U. Yadav, learned Advocate for respondent nos. 2 & 3.

2. Affidavit in reply is filed by all the respondents. Learned Advocate for the applicant submits that during the pendency of this O.A. the office of res. no. 2 is shifted from Aurangabad to Latur. She, therefore, seeks leave of this Tribunal to amend the O.A. and correct the address of respondent no. 2. Leave as sought for is granted.

3. Accordingly, with the consent of both the sides, S.O. to 20.8.2021 for final hearing.

**MEMBER (J)**

**ORIGINAL APPLICATION NO. 285/2021**  
**(Hemant S. Patil Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.7.2021**

**ORAL ORDER**

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

2. The present O.A. challenging the impugned transfer is filed only against the sole respondent i.e. the Superintendent of Police, dhule. The case of the applicant is to be considered in view of the provisions of Section 22-N of the Maharashtra Police Act, 1951 and ancillary provisions thereof. The applicant has stated that by the impugned transfer order he is transferred midterm and mid tenure. The sole respondent has filed affidavit in reply and stated that he is empowered to issue the impugned transfer order of the applicant and it is legal & proper.

3. During the hearing of the matter, a reference was made of provision of section 22-N of the Maharashtra Police Act, 1951. Learned Advocate for the applicant submitted that provisio 2 to sub section 1 of section 22-N lays down the power with the State Government to pass the transfer of any Police personnel prior to completion of his normal tenure. However, the record shows that the State Government is not a party respondent in the present case.

Learned Advocate for the applicant seeks leave of this Tribunal to add the State Government as party respondent. Leave as prayed for is granted. Learned Advocate for the applicant undertook to amend the O.A. forthwith.

4. On adding the State Government as party respondent, issue notice to the added respondent, returnable on 13.8.2021.

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

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

::-3-:: **ORIGINAL APPLICATION NO. 285/2021**

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

9. S.O. to 13.8.2021.

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

**MEMBER (J)**

ARJ ORAL ORDERS 30-7-2021



**ORIGINAL APPLICATION NO.282 OF 2019**  
**(Deorao G. KaleVs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

ShriHanumant P. Jadhav, learned Advocate for the applicant(**absent**). ShriV.R. Bhumkar,learned Presenting Officer for the respondents, present.

2. Record shows that the pleadings are complete up to affidavit in reply of respondent Nos. 1 to 5. Hence, the present case is admitted and kept for final hearing on 02.09.2021.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

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

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

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

2. At the request of learned Presenting Officer, S.O. to 30.8.2021 for filing affidavit in reply on behalf of the respondents.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**ORIGINAL APPLICATION NO. 23 OF 2020**  
**(Arvind P. Awad&Ors.Vs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

ShriHanumant P. Jadhav, learned Advocate for the applicants (**absent**). Shri M.P. Gude,learned Presenting Officer for the respondents, present.

2. At the request of learned Presenting Officer, S.O. to 27.8.2021 for filing affidavit in reply on behalf of the respondents.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**M.A.NO. 130/2020 IN O.A.NO. 114/2020  
(Dagdu G. PatilVs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

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

2. At the request of learned Advocate for the applicant, S.O. to 27.8.2021 for filing rejoinder affidavit.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**ORIGINAL APPLICATION NO. 30 OF 2021**  
**(Kedarnath R. Budhwant Vs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time for filing affidavit in reply on behalf of respondent Nos. 1 & 2. Time granted.

3. S.O. to 26.8.2021.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**ORIGINAL APPLICATION NO. 7 OF 2021  
(Arun W. Thakur Vs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicant andShri M.S. Mahajan, learnedChief Presenting Officer for the respondents.

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

3. S.O. to 26.8.2021.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**ORIGINAL APPLICATION NO. 766 OF 2016**  
**(Rambhau T. JadhavVs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

Heard Shri A.D. Sugdare, learned Advocate for the applicant andSmt. M.S. Patni, learned Presenting Officer for the respondent Nos. 1 & 4.

2. Shri S.D. Dhongde, learned Advocate for respondent Nos. 2 & 3 submits that he is not on the panel of respondent Nos. 2 & 3 and, therefore, he is not appearing on their behalf.

3. In view of above, issue notice to the respondent Nos. 2 & 3, returnable on 3.9.2021.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**O.A.NOS. 860 TO 864 ALL OF 2019**  
**(Vithal H. Desale&Ors. Vs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

Heard Shri J.B. Choudhary, learned Advocate for the applicants in all these cases and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these cases.

2. Learned Chief Presenting Officer orally submitted that the claim of the applicants in all these cases is under consideration of competent authority and their claim is being considered favourably within a period of four weeks. Therefore, he prayed for four weeks' time. Time granted as prayed for.

3. S.O. to 31.8.2021.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD



**O.A.NOS. 361, 358, 359 & 360 ALL OF 2018**  
**(Anil G. Tornekar&Ors.Vs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

Heard Shri A.D. Sugdare, learned Advocate for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Presenting Officer has filed a copy of communication dated 29<sup>th</sup> July, 2021 received to him by Desk Officer of Medical Education Department, M.S. and the same is taken on record and marked as document 'X' for the purpose of identification.

3. The learned Advocate for the applicant has brought to the notice of this Tribunal paragraph No. 4 of the oral order dated 13.02.2020 passed by this Tribunal, compliance of which has not been placed on record by the respondents. The respondents shall comply paragraph No. 4 of the order dated 13.02.2020 passed by this Tribunal.

4. Learned Presenting Officer submits that he is requested by the respondents through aforesaid communication dated 29<sup>th</sup> July, 2021 to seek four weeks' time to comply with paragraph No. 4 of order dated 13.02.2020 passed by this Tribunal. Time granted as prayed for.

5. S.O. to 30.8.2021.

**MEMBER (A)**

**O.A.NOS. 192 TO 194 ALL OF 2019**  
**(Kashinath T. Soundalkar&Ors.Vs. the State of Maha.&Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the applicants in all these cases andShri S.B. Mene, learned Advocate for the respondents in all these cases.

2. Learned Advocate for the applicant submits that he has not received copy of affidavit in reply filed by the respondent Nos. 1 & 2. In these circumstances, learned Advocate for respondent Nos. 1 & 2 is directed to supply the copy of affidavit in reply to the learned Advocate for the applicant.

3. At the request and by consent of both the parties, S.O. to 30.8.2021.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**ORIGINAL APPLICATION NO. 229 OF 2020**  
**(Dr. Manik P. Sangale Vs. the State of Maharashtra &Ors.)**

**CORAM :Hon'bleShriBijay Kumar, Member (A)**

**DATE : 30.7.2021**

**ORAL ORDER :**

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

2. Learned Presenting Officer seeks time to file sur-rejoinder. Time granted.

3. S.O. to 30.8.2021.

**MEMBER (A)**

ORAL ORDERS 30.7.2021-HDD

**C.P.NO.14 OF 2021 IN O.A.NO.187 OF 2021**

**(Shri Ramrao K. Pallewad Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Shri Avishkar S. Shelke, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. This Contempt Petition is arising out of interim order dated 04.05.2021 passed in O.A.No.187 of 2021. It is submitted that the said O.A. is fixed on 06.08.2021 and the affidavit-in-reply has been filed by the Respondents.

3. Record of the present case shows that pursuant to the said interim order the Applicant has made representation dated 18.05.2021 and 10.06.2021. We would like to know whether these representations are received by the Respondents or not and if received, any response to it is reflected in the said affidavit-in-reply before proceeding further in the present Contempt Petition.

4. S.O. to 06.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.211 OF 2021 IN O.A.ST.NO.868 OF 2021**

**(Shri Abhijeet M. Bhise & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

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

2. By this application, the applicants are seeking to sue the Respondent jointly.

3. The Applicants have preferred the Original Application being aggrieved by the action of Respondent No.2 of rejecting their request for appointment/absorption in the cadre of Foresters from the cadre of Forest Surveyors through the mode of transfer. They have challenged the impugned communication dated 17.11.2020 whereby the request of the Applicants has been rejected. Moreover, the Applicants have also sought direction against the Respondent No.3 to issue appropriate orders of appointment/absorption each one of the Applicants as a Forester u/r 3(1) (c) of the Recruitment Rules, 1987.

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**M.A.211/21 In O.A.St.868/21**

4. In view of the facts and circumstances and the action upon which the Applicants are agitating, their reliefs sought for are not only identical but also one of the same. In view of above, it is fit case to grant permission to the Applicant to sue the Respondent jointly. Hence following order:-

**ORDER**

- (1) Misc. Application No.211 of 2021 is allowed.
- (2) The Applicants are permitted to sue the Respondents jointly.
- (3) No order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICTION ST.NO.868 OF 2021**

**(Shri Abhijeet M. Bhise & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2021**

**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. Issue notices to the respondents, returnable on 01.09.2021.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicants are 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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**O.A.NO.St.868/2021**

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. Applicants are directed to file affidavit of compliance and notice.
7. S.O. to 01.09.2021.
8. Steno copy and Hamdast is allowed to both parties.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 30.07.2021-SAS



**ORIGINAL APPLICATION NO.383 OF 2018**

**(Meraj Begum Syeed Abdul Khalak Vs. State of Maharashtra  
& Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Shri S.B. Patil, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. Record shows that affidavit-in-reply is filed in the Original Application. The Applicant has challenged the seniority list. In the seniority list he has shown at Sr.No.33. He is seeking correction in the seniority list and to show his name at Sr.No.27 in seniority list.

3. In view of the same, the matter is admitted and fixed for final hearing.

4. S.O. to 06.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.732 OF 2018**

**(Akhtarkhan Shahajadekhan Pathan & Ors. Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Smt. Suchita A. Dhongde, learned Advocate for the Applicants and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, time is granted for filing affidavit-in-rejoinder.
3. S.O. to 13.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.727 OF 2019**

**(Shri Madhav V. Birajdar Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 30.07.2021**

**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. The Original Application is filed seeking following main reliefs:-

(A) This Original Application may kindly be allowed thereby directing the Resp. No.2 to forthwith consider applicant's case for promotion as Senior Assistant and further to promote him as such in the event he is found fit therefor may be subject to the condition of his passing the Departmental Examination in Accounts within stipulated period as prescribed in Rule 6 of the 1969 Rules.

(B) This Original Application may kindly be allowed thereby restraining the Resp. No.2 from undertaking any process for effecting promotions to the cadre of Senior Assistants unless and until the Departmental Examination in Accounts is conducted as per the provisions of Rule 7 of the 1969 Rules and the applicant and persons like him who have become eligible to appear in the said Examination are given reasonable opportunities to appear therein and pass the same.

(quoted from page nos.17 & 18 of P.B.)

3. Undisputedly, the Applicant is working as Senior Clerk and the persons who are junior to him but have passed requisite Departmental Examination in Accounts were brought in the zone of consideration in Latur division. It is contention of the Applicant that since 2018 onwards no such Departmental Examinations are held and as such the Applicant had no opportunity to make himself qualified and eligible.

4. In view of the same, the Applicant filed the Original Application for the relief as stated hereinabove. The pleadings in the O.A. upto sur-rejoinder are completed. In affidavit-in-sur-rejoinder filed by the Respondents at page no.126 of paper book, there is result dated 21.1.2020 (Annexure 'RR-1' Page No.132 of P.B.). It shows that the said examination was held on 16.09.2019 and 17.09.2019. The name of the Applicant is at Sr.No.31. He has secured 220 marks and he is declared pass.

5. Moreover, learned C.P.O. today places on record the copy of communication dated 01.07.2021 received from the Respondent No.2. It is marked as document 'X' for the purpose of identification, thereby it is stated that out of 74 posts 72 posts of Senior Assistant are vacant in the entire state and the Government is facing difficulty in filling up those posts due to pendency of this litigation before this Tribunal.

6. In view of abovesaid development, the learned Advocate for the Applicant fairly concedes that prayer (A) and (B) of the Original Application would not survive. But he submits that the present O.A. can be disposed of by giving suitable and appropriate direction pursuant to prayer clause (D) whereby the Applicant has sought any other appropriate relief as may be deemed fit by this Tribunal.

7. He submits that the Applicant's interest can be protected if direction is given to the Respondents for filling up those promotional posts in the cadre of Senior Assistant as per criteria of promotion in accordance with law.

8. Learned C.P.O. submits that appropriate order can be passed.

9. In the circumstances as above, in our opinion, it would be just and proper to dispose of the Original Application by giving directions to Respondents to fill up those promotional posts of Senior Assistant from the name of eligible/qualified candidates in the cadre of Senior Clerk as per criteria of promotion in accordance with law. It is ordered accordingly. The Original Application stands disposed of with no order as to costs.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.490 OF 2020**

**(Shri Vivek 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 : 30.07.2021**

**ORAL ORDER :**

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

2. Affidavit-in-reply filed on behalf of Respondent Nos.1 to 5 is taken on record and copy thereof has been supplied to other side.
3. At the request of learned Advocate, time is granted for filing affidavit-in-rejoinder, if any.
4. S.O. to 03.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.491 OF 2020**  
**(Shri Rajnikant 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 : 30.07.2021**

**ORAL ORDER :**

Heard Shri V.G. Pingle, learned Advocate for the Applicant and Smt. M.S. Patni, learned Presenting Officer for the Respondents.

2. Affidavit-in-reply filed on behalf of Respondent Nos.1 to 5 is taken on record and copy thereof has been supplied to other side.
3. At the request of learned Advocate, time is granted for filing affidavit-in-rejoinder, if any.
4. S.O. to 03.09.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.601 OF 2019 IN O.A.ST.NO.2211 OF 2019**

**(Maharashtra Rajya Rekhachitra Shakha Karmachari  
Sanghatna, Through its President Zaki Ahmed Jafri Vs. State  
of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Shri Avinash S. Khedkar, learned Advocate for the Applicant is **absent**.

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. As none present on behalf of the Applicant, S.O. to 01.09.2021.

**MEMBER (A)**

**MEMBER (J)**



**M.A.NO.443 OF 2019 IN O.A.NO.335 OF 2019**

**(Shri Hanumant V. 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 : 30.07.2021**

**ORAL ORDER :**

Heard Shri R.N. Bharaswadkar, learned Advocate for the Applicants in the present M.A./respondent nos.4 & 5 in O.A., Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondent Nos.1 to 3 in the present M.A. and Shri S.V. Bhopi, learned Advocate holding for Shri V.R. Dhorde, learned Advocate for the Respondent No.4 in the present M.A./applicant in O.A.

2. Record shows that this Misc. Application is pending since 16.09.2019. This Misc. Application is made seeking modification in the interim order dated 15.04.2019 passed in O.A.No.335/2019. Record shows that this matter was taken up from time to time in the month of September, 2019 only on 16.09.2019, 18.09.2019 and 19.9.2019. It seems that during the said period pleadings in the Original Application were completed. Order dated 19.9.2019 shows that the learned C.P.O. was directed to produce concerned original record for perusal before the Tribunal. The said original record however is not produced.

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**M.A.443/19 In O.A.335/19**

3. At this stage, learned C.P.O. seeks time for filing affidavit-in-reply and the learned Advocate for the Respondent No.4 submits that matter may be fixed for final hearing.

4. In view of the same, as the matter is attended to by way of circulation, one adjournment is granted for producing the original record and filing affidavit-in-reply, if any.

5. S.O. to 20.08.2021.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 30.07.2021-SAS

**ORIGINAL APPLICATION NO.30 OF 2018**  
**(Rohini S. Deokar Vs. State of Maharashtra & Ors.)**  
**WITH**  
**ORIGINAL APPLICATION NO.107 OF 2019**  
**(Manjusha E. Kute (Khade) Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

**O.A.NO.30 OF 2018**

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

**O.A.NO.107 OF 2019**

Heard Shri S.D. Joshi, learned Advocate for the Applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondent Nos.1 to 4 and Shri V.B. Wagh, learned Advocate for the Respondent No.5.

2. S.O. to 07.09.2021 for final hearing

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.66 OF 2018**

**(Shri Dnyeshwar P. Kadam Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Shri Avinash S. Deshmukh, learned Advocate holding for Shri Kuldeep S. Patil, learned Advocate for the Applicant and Shri V.R. Bhumkar, learned Presenting Officer for the Respondents.

2. S.O. to 10.08.2021. This case be treated as part-heard.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 30.07.2021-SAS

**ORIGINAL APPLICATION NO.693 OF 2019**

**(Savita S. Birge Vs. State of Maharashtra & Ors.)**

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

**AND**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Shri V.B. Wagh, learned Advocate for the Applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant submits that during pendency of this matter certain development has taken place and therefore, he seeks time for filing short affidavit. Time is granted.

3. S.O. to 24.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**ORIGINAL APPLICATION NO.702 OF 2019**

**(Ismail @ Raju Moinoddin Tamboli Vs. State of Maharashtra  
& Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Shri F.K. Patel, learned Advocate for the Applicant and Shri N.U. Yadav, learned Presenting Officer for the Respondents.

2. By consent adjourned to 30.08.2021 for final hearing.

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 30.07.2021-SAS

**R.A.NO.7 OF 2019 IN M.A.NO.530 OF 2019 IN  
O.A.ST.NO.2098 OF 2019**

**(Shri Bharat G. Raut Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

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

2. Considering the nature of contention raised in Review Application, we are of the opinion that affidavit-in-reply of Respondents is necessary. Therefore, time is granted to Respondents for filing affidavit-in-reply.

3. S.O. to 27.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**C.P.NO.24 OF 2020 IN O.A.NO.937 OF 2018**  
**(Shri Pradip S. Dahale Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Smt. Suchita A. Dhongde, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

2. Affidavit-in-reply filed on behalf of Respondent No.4 is taken on record and copy thereof has been supplied to other side.

3. Learned P.O. seeks time for filing affidavit-in-reply on behalf of Respondent Nos.1 to 3. Time is granted.

4. S.O. to 03.09.2021.

**MEMBER (A)**

**MEMBER (J)**



**ORIGINAL APPLICATION NO.363 OF 2021**

**(Shri 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 : 30.07.2021**

**ORAL ORDER :**

Shri Avinash A. Khande, learned Advocate for the Applicant is **absent**.

Heard Shri M.P. Gude, learned Presenting Officer for the Respondents.

2. The present matter is wrongly shown on today's board instead of 30.08.2021. Hence, S.O. to 30.08.2021.

**MEMBER (A)**

**MEMBER (J)**

**M.A.NO.187 OF 2021 IN O.A.ST.NO.1096 OF 2020**  
**(Shri Rakesh S. Kapdne Vs. State of Maharashtra & Ors.)**

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

**DATE : 30.07.2021**

**ORAL ORDER :**

Heard Shri F.K. Patel, learned Advocate holding for Shri Shri Santosh B. Bhosale, learned Advocate for the Applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the Respondents.

2. Issue fresh notice to the respondent no.2 in M.A.No.187/2021, returnable on 06.09.2021.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

**// 2//**

**M.A.187/2021                      IN**  
**O.A.NO.St.1096/2020**

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. S.O. to 06.09.2021.

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

**MEMBER (A)**

**MEMBER (J)**

ORAL ORDERS 30.07.2021-SAS

**Date : 30.07.2021**

**ORIGINAL APPLICATION NO. 396 OF 2021**

**(Vilas D. Nikam V/s State of Maha. &Ors.)**

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

1. Smt. AmrutaParanjapMenezes, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 24.08.2021. The case be listed for admission hearing on **24.08.2021**.
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**