

C.P.NO.27/2018 IN O.A.NO.515/2013
(Dr. Balaji Phalke Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

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

2. On the request of learned P.O. time is granted to file affidavit in reply on behalf of the respondents.

3. S.O. to 15-11-2021.

MEMBER (A)

MEMBER (J)

**C.P.NO.03/2020 IN C.P.NO.47/2018 IN
O.A. NO.138/2016
(Dr. Shaikh Taj Md. Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri I.D.Maniyar, learned Advocate for the Applicant and Shri N.U.Yadav, learned Presenting Officer for the Respondent nos.1 to 3. Shri D.T.Devane learned Advocate for respondent no.4 is **absent**.

2. Nobody is present on behalf of the respondent no.4. The applicant has provided the table of due amount at page 35 of the paper book stating the amount of Rs.1383708/-. As against that, respondent no.4 by producing on record memo dated 16th July, 2021 stated that the amount due towards interest is Rs.2,73,800/-. It does not speak of entire dues. In view of the same reply of the respondents is necessary. On the request of the learned P.O., time is granted to file reply.

3. S.O. to 15-11-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.501/2020

(Dr. Prashant Shamkumar Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 04.10.2021

ORAL ORDER :

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

2. Learned P.O. prays for time for filing sur-rejoinder, if necessary. Time is granted as a last chance.
3. S.O. to 16-11-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.60/2021
(Ishwar Baviskar Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri Ashish Rajkar learned Advocate holding for Shri D.B.Shinde, learned Advocate for the Applicant and Shri I.S.Thorat, learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the applicant, S.O. to 17-11-2021 for filing rejoinder.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.61/2021
(Shantilal Deore Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri Ashish Rajkar learned Advocate holding for Shri D.B.Shinde, learned Advocate for the Applicant and Shri D.R.Patil, learned Presenting Officer for the Respondents.

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

3. S.O. to 17-11-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.219/2021
(Manoj Belkhede Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri S.B.Solanke, learned Advocate for the Applicant, Shri B.S.Deokar, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Short time is granted.
3. S.O. to 25-10-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.231/2021

(Sushilkumar Jadhav & Ors. Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 04.10.2021

ORAL ORDER :

Heard Shri S.B.Solanke, learned Advocate for the Applicant and Smt. M.S.Patni, learned Presenting Officer for the Respondents.

2. This O.A. is filed challenging the recruitment rules and its applicability retrospectively. In view of the same, the matter is of urgent nature.

3. Learned P.O. seeks time contending that though the letter is written to the respondents they are not responding. In that regard she placed on record copy of letter dated 22-09-2021, it is marked as document "X" for identification. In the interest of justice, short time is granted.

3. S.O. to 31-10-2021.

MEMBER (A)

MEMBER (J)

M.A.NO.614/2019 IN O.A.ST.NO.2365/2019
(Hanuman Jarare Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time for filing affidavit in reply on behalf of respondent nos.1, 2 and 4. Time is granted as a last chance.

3. S.O. to 18-11-2021.

MEMBER (A)

MEMBER (J)

C.P.NO.18/2021 IN O.A.NO.229/2009

(Syed Azam Syed Lal Vs. State of Maharashtra & Ors.)

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 04.10.2021

ORAL ORDER :

Heard Smt. A.N.Ansari, learned Advocate for the Applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the Respondents.

2. Perusal of the pleadings, documents and more particularly letter dated 09-09-2021 (Annexure A-7) which is reply letter from the office of respondent no.2 to the applicant which reveals that SLP No.28069/2017 is filed challenging order of the Hon'ble High Court dated 20-03-2017 passed in Writ Petition No.10226/2016 and at that time the next date of that matter before the Hon'ble Apex Court was 07-09-2021. Writ Petition No.10226/2016 was filed by the respondents against the order of this Tribunal dated 14-03-2016 passed in O.A.No.229/2009 out of which the present Contempt Petition has arisen.

3. Learned CPO submits that he would seek instructions as regards progress of the said SLP.

4. As the SLP is pending before the Hon'ble Apex Court, in our opinion it would be just and proper to wait for progress report of the same.

5. Hence, S.O. to 28-10-2021.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO.103/2020
(Vishwanath Nampalle Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri Omprakash Y. Kashid, learned Advocate for the Applicant and Smt. Deepali Deshpande, learned Presenting Officer for the Respondents.

2. Issue notice to the respondents, returnable on 15-11-2021.
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.

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O.A.No.103/2020

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 15.11.2021.

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

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.701/2019
(Bapusaheb Patare Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondent no.2. Time is granted. Record shows that affidavit in reply of respondent no.1 has already been filed.

3. S.O. to 14.10.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.102/2021
(Sangram Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.
3. S.O. to 15.11.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.346/2021
(Dilip Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

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

2. Learned P.O. seeks time to file affidavit in reply on behalf of the respondents. Time is granted.

3. S.O. to 27.10.2021.

MEMBER (A)

ORIGINAL APPLICATION NO.316/2021
(Manikarani Rankhamb Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri H.P.Jadhav, learned Advocate for the applicant and Shri M.S.Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned C.P.O. submits that the affidavit in reply on behalf of respondent no.1 is not necessary. However, important questions of rules and law may appear to be there that the father of the applicant who was Assistant Sub Inspector (ASI) a Group-C employee was terminated from service on 16-03-2006 invoking provisions of Article 311(2) of the Indian Constitution. Thereafter, said employee died in road accident on 17-06-2007. Appellate Authority passed order under departmental appeal on 08-03-2019 and set aside the order of termination. Therefore, the applicant has claimed that after setting aside the order of termination she is entitled for appointment on compassionate ground.

3. Learned P.O. to seek instructions and response of the respondents on this point in the interest of justice.

4. S.O. to 27.10.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.362/2021
(Usha Pawar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

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

2. Learned P.O. seeks time for filing affidavit in reply on behalf of the respondents. Time is granted.
3. S.O. to 27.10.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.389/2021
(Baburao Mahire Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

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

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

3. S.O. to 25.10.2021.

MEMBER (A)

**ORIGINAL APPLICATION NO.431/2021
(Sabirabi Shaikh Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri Sushil Irale Patil learned Advocate holding for Shri D.R.Irale Patil, learned Advocate for the applicant and Shri B.S.Deokar, learned Presenting Officer for the respondents.

2. It has been brought to the notice of the learned Advocate for the applicant that the applicant has made submission with respect to claims of children of second wife. Second wife is no more. In that situation, it will be necessary to give an opportunity to the the children of the second wife to submit their say.

3. Learned Advocate for the applicant prays for leave for effecting amendment in title clause and include children of second wife as respondents. Leave as prayed for is granted.

4. Amendment in the O.A. be effected within 7 days' time.

5. S.O. to 18.10.2021.

MEMBER (A)

**M.A.NO.130/2021 IN O.A.ST.NO.114/2020
(Dagdu Patil Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Ku. Preeti Wankhade, learned Advocate for the applicant and Shri M.P.Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant prays for time for filing affidavit in rejoinder. Time is granted.

3. S.O. to 15.11.2021.

MEMBER (A)

YUK ORAL ORDERS 04.10.2021

**M.A.NO.214/2021 IN O.A.NO.179/2021
(State of Mah. & Ors. Vs. Ujjwala Deshmukh)**

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

DATE : 04.10.2021

ORAL ORDER :

Shri V.R.Bhumkar, learned Presenting Officer for the applicants in M.A. (respondents in O.A.) is present. Shri V.G.Pingle, learned Advocate for the respondent in M.A. (applicant in O.A.) is **absent**.

2. Learned P.O. prays for a week's adjournment. Adjournment is granted.

3. S.O. to 11.10.2021.

MEMBER (A)

YUK ORAL ORDERS 04.10.2021

**O.A.NO.358/2018, 359/2018, 360/2018 AND 361/2018
(Haseeb Ur Rehman & Ors. Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri A.D.Sugdare, learned Advocate for the applicant and Smt. M.S.Patni, learned Presenting Officer for the respondents.

2. Learned P.O. files affidavit in reply on behalf of respondent nos.1 to 3. It is taken on record. Copy thereof has been served on the other side. She states that the affidavit in reply has been submitted in compliance of the order passed by the Tribunal on 13-02-2020. Paragraph 4 of the said order is as follows:

"4. On perusal of the record it reveals that on 16.01.2020 the respondents were directed to take corrective steps if they are of the view that the judgment delivered by the Nagpur Bench of this Tribunal in O.A. No. 49/2005 on 16.09.2014, as well as, judgment delivered by the Hon'ble High Court in W.P. No. 7116/2017 on 23.07.2018 and if they defer from the aforesaid judgments / decisions, they are called upon to file affidavit stating the reasons in that regard. The respondents have not taken any steps as per the directions in spite of one month's time given to them. The respondents are unnecessarily prolonging the matter. In these circumstances, it is just to adjourn the matter subject to payment of costs of Rs. 10,000/- (Rs. Ten thousand only)."

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O.A.NO.358/2018, 359/2018, 360/2018 AND 361/2018

Today, accordingly the affidavit in reply has been submitted.

3. Learned Advocate for the applicant states that affidavit in rejoinder is not necessary. Therefore, the matter be placed for final hearing on the next date.

4. S.O. to 27.10.2021.

MEMBER (A)

YUK ORAL ORDERS 04.10.2021

ORIGINAL APPLICATION NO.265/2017
(Dr. Suresh Maramunge Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri I.D.Maniyar, learned Advocate for the applicant, Smt. Sanjivani Ghate, learned Presenting Officer for the respondent nos.1 to 3 and Shri P.R.Tandale learned Advocate for respondent no.4.

2. Learned Advocate for respondent no.4 i.e. District Health Officer, Zilla Parishad, Latur submitted case law citation [**2019 ALL SCR 973**] , which is taken on record.

3. Learned Presenting Officer as well as the learned Advocate for respondent no.4 have cited provisions of Rule 121(1)(c) and 123 of the Maharashtra Civil Services (Pension) Rules, 1982 that the applicant had not submitted information in Form 5 as prescribed by the rules and he had to be given reminder, therefore, applicant is responsible for delay in submission of his pension papers and approval of the provisional pension etc.

4. On the other hand, learned Advocate for the applicant has cited documents on record that the respondent no.1 to 3 had delayed forwarding pension papers on presumption that some departmental enquiry was pending against the applicant. In fact, departmental

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O.A.NO.265/2017

enquiry was proposed way back in the year 2012 by the Chief Executive Officer, Zilla Parishad, Latur which was not acted upon by the Directorate of Health Services and they had asked Chief Executive Officer, Zilla Parishad, Latur to re-submit proposal which was finally turned down by the respondent no.1. Therefore, there was delay in sanction of pension and post-retiral benefits to the applicant.

5. The matter is **part heard**.

6. S.O. to 13-10-2021.

MEMBER (A)

YUK ORAL ORDERS 04.10.2021

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

WITH

**ORIGINAL APPLICATION NO.454 OF 2020
(Ambadas P. Lagad Vs. State of Maharashtra & Ors.)**

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

AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 04.10.2021

ORAL ORDER :

Heard Shri S.S. Shirsat, learned Advocate for the applicants in both the O.As. and S/shri S.K. Shirse & I.S. Thorat, learned Presenting Officers for the respective respondents in respective O.As.

2. Pursuant to order dated 16.09.2021, learned P.O. for the respondents has produced the communication dated 16.09.2021 along with the copy of notification dated 11.06.2019, whereby it is stated that qualification of graduation prescribed for promotion to the post of Clerk-Typist is relaxed by this notification. It is taken on record and marked as document 'X-1' for the purpose of identification.

3. The present matters are already part-heard. We have heard the arguments advanced by both the parties substantially.

4. S.O. to 13.10.2021.

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 : 04.10.2021

ORAL ORDER :

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

2. Record shows that pleadings are complete.
3. The matter is pertaining to termination. It is admitted and fixed for final hearing on 15.11.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 4.10.2021-SAS

**ORIGINAL APPLICATION NO.1032 OF 2019
(Sadashiv V. Rathod Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, 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. At the request of learned P.O., time is granted for filing affidavit-in-sur-rejoinder by the respondents, if any.

4. S.O. to 23.11.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 4.10.2021-SAS

**ORIGINAL APPLICATION NO.1069 OF 2019
(Prabhakar M. Kathar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, 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. At the request of learned P.O., time is granted for filing affidavit-in-sur-rejoinder by the respondents, if any.

4. S.O. to 24.11.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 4.10.2021-SAS

M.A.NO.243/2021 & M.A.NO.50/2021
IN
ORIGINAL APPLICATION NO.223 OF 2018
(Madhav V. Kale Vs. State of Maharashtra & Ors.)

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri M.R. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 3. Shri S.N. Gaikwad, learned Advocate for the respondent No.5 (**absent**). None appears for respondent nos.4 & 6.

2. Learned Advocate for the applicant submits that the applicant does not want to press both these Misc. Applications.

3. In view of same, Misc. Application No.243/2021 and Misc. Application No.50/2021 filed in O.A.No.223/2018 are disposed of being not pressed. No order as to costs.

MEMBER (A)

MEMBER (J)

**M.A.NO.321 IN O.A.NO.223 OF 2018
(Madhav V. Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri M.R. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 3. Shri S.N. Gaikwad, learned Advocate for the respondent No.5 (**absent**). None appears for respondent nos.4 & 6.

2. By this Misc. Application, the applicant is seeking the production of the divisional level seniority list published by the Respondent No.2 i.e. Divisional Commissioner, Aurangabad.

3. In that respect, the applicant has raised pleading by seeking amendment in the Original Application and by inserting para nos.17 (A), (B) and (C).

4. In view of above, the said documents would be relevant and would be necessary to decide the controversy.

5. In the result, Misc. Application No.321/2021 is allowed. Productions of requisite documents are allowed. No order as to costs.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.223 OF 2018
(Madhav V. Kale Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri M.R. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent Nos.1 to 3. Shri S.N. Gaikwad, learned Advocate for the respondent No.5 (**absent**). None appears for respondent nos.4 & 6.

2. Learned P.O. for the respondent nos.1 to 3 seeks time for filing affidavit-in-reply to the extent of amended O.A. Time is granted.

3. S.O. to 28.10.2021.

MEMBER (A)

MEMBER (J)

**M.A.NO.212 OF 2021 IN O.A.NO.694 OF 2018
(Somnath S. Reddy Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

The Original Application is filed for seeking relief in terms of prayer clause 12(A) as follows:-

“12(A) This Original Application may kindly be allowed thereby directing Resp.No.1 to prepare & publish Annual Gradation Lists of the cadre of Research Officers/Statistical Officers from the Group-B Gazetted cadre from 01/01/2002 onwards within stipulated period of time as may be deemed fit by this Hon'ble Tribunal.”

2. During pendency of O.A., the Misc. Application No.212/2021 has been filed for seeking interim relief in terms of prayer clause 15 (A), (B), (C) and (D).

“15(A) This Misc. Application may kindly be allowed.

(B) The Resp.No.1 may kindly be restrained from effecting any promotions to the cadre of Deputy Directors on the basis of the provisional Seniority List dated 23/07/2021 (Annex.A-3) of the cadre of Research Officers/Statistical Officers.

(C) The Resp.No.1 may kindly be directed to finalise the provisional Seniority list dated 23/07/2021 (Annex.A-3) of the cadre of Research Officers/Statistical Officers only & only after considering & deciding all the objections raised thereto.

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M.A.212/2021 In O.A.694/2018

- (D) The Resp.No.1 may kindly be further directed to effect promotions to the cadre of Deputy Directors only on the basis of the final Seniority List of the cadre of Research Officers/Statistical officers that may be prepared after considering & deciding the objections raised to the provisional Seniority List dated 23/07/2021 and only after a period of 30 days from the date of publication of said final Seniority List.

3. During pendency of the said Misc. Application, by order dated 9.8.2021 ad-interim relief in terms of prayer clause 15 (B) of Misc. Application No.212/2021 was granted. Thereafter, Misc. Application No.285/2021 was filed by the applicant by seeking amendment in M.A.No.212/2021. By order dated 27.09.2021, the amendment sought for was allowed and order of interim relief dated 9.8.2021 was vacated. Thereafter, the applicant has carried out amendment in M.A.No.212/2021.

4. We have heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos.1 to 3 and Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay S. Deshpande, learned Advocate for the respondent Nos.5 & 6. Shri M.S. Sonwane, learned Advocate for the respondent No.4 is **absent**.

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M.A.212/2021 In O.A.694/2018

5. Learned C.P.O. for the respondent Nos.1 to 3 and learned Advocate for the respondent Nos.5 & 6 submit that they have received the amended copy of Misc. Application No.212/2021 today itself and they seek short time for filing affidavit-in-reply to the amended M.A..

6. Learned Advocate for the applicant submitted that he is seeking ad-interim-relief in terms of amended prayer clause "15-E- 1" in respect of interim relief of prayer clause "15-A-1". Prayer clause 15-A-1 is as follows:-

"15-A-1. The Resp.No.1 may kindly be restrained from effecting any promotions to the cadre of Deputy Directors unless & until the final seniority list of the cadre of Research Officers/Statistical Officers for the preceding year is prepared & published in terms of the provisions of paragraph no.5.2.1 of G.R. dated 01/08/2019 r/w provisions of Rule 7 of the MCS (Regulation of Seniority)Rules, 1982.

7. Learned Advocate for the applicant produced on record the copy of letter dated 27.09.2021 issued by the Deputy Director (Administration), Directorate of Economics and Statistics, Mumbai. In view of letter dated 27.09.2021, the respondent no.1 is seeking choices from the officers who are in the zone of consideration for the post of Deputy Director.

//4//

M.A.212/2021 In O.A.694/2018

8. Learned Advocate for the applicant submits that the Government is going to consider 13 officers and he produces the said list. However, the said list does not bear stamp or signature of anybody.

9. Learned Advocate for the applicant invited our attention to G.R. dated 1.8.2019 of G.A.D. which provides the guidelines for effecting promotions. Learned Advocate for the applicant submits that the seniority list of the cadre of Research Officers/Statistical Officers, which is feeding cadre of the Deputy Director is finalized only as on 01.01.2013.

10. Learned C.P.O. submits that it is finalized as on 01.01.2014.

11. Learned Advocate for the applicant submits that unless the seniority list is finalized as on 1.1.2019, the Government at this juncture cannot undertake to start the process of promotion to promote the officer for the post of Deputy Director. It is his contention that immediately after allowing the amendment by this Tribunal by order dated 27.09.2021, the Government has acted surprisingly swiftly by issuing abovesaid letter dated 27.09.2021. He submits that it is done with malafide intention to favour some of the officers and defeating the rights of the applicant. In view of same, he is seeking ad-interim relief.

//5//

M.A.212/2021 In O.A.694/2018

12. Learned C.P.O. on the other hand submits that the Respondents have received amended copy of the application today itself. He also invited our attention to interim modified order dated 21.01.2020 passed in O.A.No.694/2018, whereby the statement of learned C.P.O. was recorded to the effect that the Respondents are not going to promote anybody, who are junior to the present Applicant. According to him, it is suffice to protect the interest of the applicant.

13. Upon perusal of prayer in the Original Application and subsequent pleadings raised by the applicant in the Misc. Application No.212/2021, it is seen that detailed contentions have been raised by the applicant for seeking interim relief during pendency of the Original Application in respect of process of promotion.

14. The apprehension of the applicant is that the respondent - Government without following due procedure laid down in G.R. dated 01.08.2019 are trying to give promotion to the officers. According to him, unless final seniority list is finalized as on 01.01.2019, no such endeavor can be done by the Government to give promotion in pick and chose manner or for that matter in piecemeal.

15. The contentions of the applicant definitely are of serious nature and are having longstanding effect.

//6//

M.A.212/2021 In O.A.694/2018

However, in order to have proper adjudication, in our opinion, opportunity should be given to the respondents to file reply to the amended pleadings at the earliest.

16. In the circumstances, *prima facie*, it is not a fit case to grant ad-interim relief, when statement of learned C.P.O. is already recorded as discussed hereinabove. Thereby the interest of the applicant seems to have been protected substantially. We, therefore, grant short time to the respondents to file affidavit-in-reply.

17. S.O. to 18.10.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 4.10.2021-SAS

**M.A.NO.312 OF 2012 IN C.P.NO.20 OF 2019 IN
M.A.NO.97 OF 2012 IN O.A.NO.817 OF 2011
(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 : 04.10.2021

ORAL ORDER :

Heard Shri Ashish B. Rajkar, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos.1 & 2 and Shri Santosh B. Mene, learned Advocate for the respondent No.3.

2. Issue notice to the respondents in M.A.No.312/2021, returnable on 21.10.2021.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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M.A.312/2021 In C.P.20/2019 In
M.A.97/2012 In O.A.817/2011

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 21.10.2021.
8. Steno copy and Hamdast is allowed to both parties.
9. The present matter is placed on separate board.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.137 OF 2017
(Namdeo S. Arsale Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

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

2. In order to have the clarity of the matter, in our opinion, the respondents should produce on record the documents such as roster register as well as merit list and final selection list in respect of selection of 34 posts, which would enable this Bench to consider this case objectively.

3. Learned P.O. to produce these documents on record by the next date.

4. S.O. to 20.10.2021.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.562 OF 2021
(Alka B. Naigaonkar Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

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. Issue notice to the respondents returnable on 29.10.2021.

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

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

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

//2//

O.A.562/2021

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. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 29.10.2021.
8. Steno copy and Hamdast is allowed to both parties.
9. The present matter is placed on separate board.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO.171 OF 2019
(Dr. Vaishali R. Jadhav Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Shri Jayant S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent Nos.1 to 3. Shri N.B. Gadegaonkar, learned Advocate for the respondent No.4 is **absent.**

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

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 : 04.10.2021

ORAL ORDER :

Heard Shri Omprakash Y. Kashid, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

2. By consent of both the parties, S.O. to 15.11.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 4.10.2021-SAS

**ORIGINAL APPLICATION NO.187 OF 2020
(Basanti J. Padavi Vs. State of Maharashtra & Ors.)**

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

DATE : 04.10.2021

ORAL ORDER :

Heard Smt. R.L. Jakhade, learned Advocate holding for Shri S. A. Kulkarni, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 26.10.2021.

MEMBER (A)

MEMBER (J)

ORAL ORDERS 4.10.2021-SAS

**ORIGINAL APPLICATION ST. NO. 1371 OF 2021
(Nitin A. Mohane & Anr. Vs. State of Maharashtra & Ors.)**

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

DATE : 4.10.2021

ORAL ORDER :

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

2. Learned Advocate for the applicants seeks permission of this Tribunal to delete the name of the applicant No. 2 – Mayus S/o. Lahu Sonawane, and seek liberty to file separate application on behalf of the said applicant No. 2.

3. Permission granted. The applicant to carry out the necessary amendment forthwith.

4. After carrying out the necessary amendment in the present O.A. by the applicant, issue notices to the respondents, returnable on 29.10.2021.

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

6. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book 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 29.10.2021.

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

MEMBER (J)

M.A.NO. 319/2021 IN O.A.ST.NO. 1371/2021
(Nitin A. Mohane & Anr. Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

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

2. This is an application filed by the applicants seeking permission of this Tribunal to sue the respondents jointly.

3. Learned Advocate for the applicants seeks permission of this Tribunal to withdraw the present Miscellaneous Application.

4. Permission granted. Withdrawal is allowed. Accordingly, the present Miscellaneous Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 12 OF 2020
(Vaibhav V. Chandle & Ors. Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

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

2. The present case be treated as part heard.
3. S.O. to 14.10.2021.

MEMBER (J)

**ORIGINAL APPLICATION NO. 256 OF 2021
(Priya A. Salve Vs. State of Maharashtra & Ors.)**

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

DATE : 4.10.2021

ORAL ORDER :

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

2. The present case has already been treated as part heard.

3. S.O. to 6.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 1080/2019
(Ravindra S. Patil Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent nos. 1, 2 & 4. None appears for respondent no. 3.

2. Record shows that affidavit in reply is already filed by the respondent no. 3. Learned P.O. seeks short time for filing affidavit in reply of respondent no. 4 stating that affidavit in reply of respondent nos. 1 & 2 is not necessary. Time as prayed for is granted.

3. S.O. to 25.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 534/2020
(Rajesh N. Bade Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondent nos. 1, 2 & 4. None appears for respondent no. 3.

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents. Time granted as a last chance.

3. S.O. to 21.10.2021.

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

Heard Smt. Anagha Pandit, learned Advocate holding for Shri S.B. Talekar, learned Advocate for the applicant, Shri M.P. Gude, learned Presenting Officer for the respondent nos. 1 to 3 and Shri Thoke Patil, learned Advocate for respondent no. 4.

2. Shri Thoke Patil, learned Advocate has filed affidavit in reply of respondent no. 4. It is taken on record and copy thereof has been supplied to other side.

3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit in rejoinder.

4. S.O. to 22.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 103/2021
(Dr. Harishchandra T. Kokani Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

Heard Shri S.D. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent nos. 1 & 2. None appears for respondent no. 3.

2. Record shows that joint affidavit in reply is filed by the respondent nos. 1 & 2 and separate affidavit in reply is filed by the respondent no. 3. Learned Advocate for the applicant submits that the applicant does not wish to file rejoinder affidavit.

3. S.O. to 22.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 269/2021
(Kishor G. Narwade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

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

2. At the request of learned Advocate for the applicant, S.O. to 11.10.2021.

MEMBER (J)

ARJ ORAL ORDERS 4.10.2021

ORIGINAL APPLICATION NO. 601/2021
(Ramesh M. Darekar Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri A.S. Shelke, 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 15.11.2021.

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

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O.A. NO. 601/2021

(Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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

7. S.O. to 15.11.2021.

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

MEMBER (J)

ORIGINAL APPLICATION NO. 297/2021
(Manjusha M. Mutha Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

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

2. Learned Advocate for the applicant has filed rejoinder affidavit. It is taken on record and copy thereof has been supplied to other side.

3. S.O. to 27.10.2021.

MEMBER (J)

ARJ ORAL ORDERS 4.10.2021

M.A. 39/2021 IN O.A. ST. 37/2021
(Azizkhan Y. Pathan Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

Heard Smt. V.N. Sonawane, learned Advocate holding for Shri N.D. Sonawane, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Learned Presenting Officer seeks time for filing affidavit in reply of the respondents. Time granted.
3. S.O. to 27.10.2021.

MEMBER (J)

M.A. 88/2021 IN O.A. ST. 323/2021
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

Shri R.A. Joshi, learned Advocate for the applicant (**absent**). Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

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

3. S.O. to 27.10.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 451/2019
(Suryakant R. Biradar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

None appears for the applicant. Shri D.R. Patil, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 26.10.2021 for hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 479/2019
(Khobraji L. Bele Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

None appears for the applicant. Shri S.K. Shirse, learned Presenting Officer for the respondents, is present.

2. In view of absence of applicant and his learned Advocate, S.O. to 27.10.2021.

MEMBER (J)

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

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 29.10.2021 for hearing at the stage of admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 5/2021

(Dr. Malimoddin A. Shaikh Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 29.10.2021 for hearing at the stage of admission.

MEMBER (J)

ORIGINAL APPLICATION NO. 955/2018
(Mahukar K. Sapdhare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

Heard Shri Sushil Patil, learned Advocate holding for Shri D.R. Irale Patil, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent nos. 1 to 4. None appears for respondent no. 5.

2. With the consent of both the sides, S.O. to 26.10.2021 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 138/2019
(Dnyanoba K. Ovhal Vs. State of Maharashtra & Ors.)

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

DATE : 4.10.2021

ORAL ORDER :

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

2. With the consent of both the sides, S.O. to 26.10.2021 for final hearing.

MEMBER (J)

ORIGINAL APPLICATION NO. 415/2019
(Rajendra S. Jagdale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
DATE : 4.10.2021

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. With the consent of both the sides, S.O. to 7.10.2021 for final hearing.

MEMBER (J)

Date : 4.10.2021

O.A. 583/2021

(Jitendra M. Panje V/s State of Maharashtra & Ors.)

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

1. Shri Swaraj B. Tandale, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 16.11.2021. The case be listed for admission hearing on 16.11.2021.
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.

I/C REGISTRAR

Date : 4.10.2021

O.A. 591/2021

(Vaishnavi S. Landage V/s State of Maharashtra & Ors.)

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

1. Shri Sushant B. Choudhari, learned Advocate for the applicant and Shri M.S. Mahajan, learned C.P.O. for respondents, are present.
2. Circulation is granted. Issue notice to the respondents, returnable on 16.11.2021. The case be listed for admission hearing on 16.11.2021.
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.

I/C REGISTRAR