

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 475 / 2019 (S.B.)**

1. Murlidhar Bansilal Kumeriya,
Aged about 57 Yrs., Occ. : Service,
R/o 63, Bhande Plot, Umred Road,
Nagpur (M.S.).
2. Dilip Narayan Gaikwad,
Aged about 51 Yrs., Occupation : Service,
O/o Plantation Officer, Social Forestry,
Narkhed Range, Dist. Nagpur (M.S.).

Applicants.**Versus**

- 1) The State of Maharashtra,
Through its Principle Secretary,
Revenue & Forest Department,
Mantralaya, Mumbai- 32.
- 2) Principle Chief Conservator,
Social Forestry,
Pune (M.S.).
- 3) Chief Conservator of Forest,
(Territorial), Zero Mile, Civil Lines,
Nagpur (M.S.).
- 4) Divisional Forest Officer,
Social Forestry, New Administrative Building No. 2,
Civil Lines, Nagpur (M.S.).

Respondents

Shri S.C.Deshmukh, the Id. Advocate for the applicant.

Shri H.K.Pande, the Id. P.O. for the respondents.

Coram :- Hon'ble Shri Shree Bhagwan, Vice Chairman.

JUDGMENT

Judgment is reserved on 11th February, 2020.

Judgment is pronounced on 12th February, 2020.

Heard Shri S.C.Deshmukh, Id. counsel for the applicant and Shri H.K.Pande, Id. P.O. for the respondents.

2. As submitted by Id. counsel for the applicant, the applicants are working as Forest Labourers in the Forest Department. The applicant no. 1 i.e. Shri Murlidhar Bansilal Kumeriya was working since 1986 and applicant no. 2 i.e. Shri Dilip Narayan Gaikwad was working since 01.03.1988 (P.B., Pg. No. 4 a of O.A.).

3. The Id. counsel for the applicant has mainly relied on G.R. dated 19/10/1996 (Annexure-A-4, P.B., Pg. Nos. 22 to 27), G.R. dated 31/01/1996 (Annexure-A-3, P.B., Pg. Nos. 19 to 21), G.R. dated 31/10/2013 (Annexure-A-2, P.B., Pg. Nos. 15 to 18) and finally G.R. dated 16/10/2012 (Annexure-A-1, P.B., Pg. Nos. 10 to 14).

4. In G.R. dated 31/10/2013, it is clearly mentioned on P.B., Pg. No. 16 that Labourers who had worked for 240 days even with breaks for minimum five years; such Labourers were to be regularized from 01/06/2012. However, the Id. counsel for the applicant submits that they should have been regularized since the day of their initial entry in the department.

5. Hence, the order:-

ORDER

1. The applicants case are remanded back to respondents to decide the date of their regularization, in view of various G.Rs. issued by Government and mainly with reference to G.R. dated 31/10/2013, 31/01/1996 and 16/10/2012.
2. The respondents are further directed to give personal hearing to the applicants, show the records and keep the proof of personal hearing and pass suitable order as per the provisions of these G.Rs. **within three months** from the date of this order.
3. After passing the order it should be communicated to the applicants and this Tribunal through Id. P.O..
4. With the above directions, O.A. is disposed of with no order as to costs.

(Shri Shree Bhagwan)
Vice Chairman

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 12/02/2020.
and pronounced on

Uploaded on : 13/02/2020.