

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 437 OF 2015**

DISTRICT – LATUR

**Narayan s/o Gangaram Shegadewar,**

Age. 43 years, Occ. Service

(Dairy Attendance),

R/o Udgir, Tq. Udgir, Dist. Latur.

.. APPLICANT

V E R S U S

**1] The State of Maharashtra,**

Through its Secretary,

Animal Husbandry Department,

Mantralaya, Mumbai.

**2] The Commissionerate,**

For person with disabilities,

Commissionerate Office,

3 Church Road, Maharashtra State,

Pune.

**3] The Regional Dairy Development Officer,**

Aurangabad, at Aurangabad.

**4] The Manager,**

Government Milk Scheme, Udgir,

Tq. Udgir, Dist. Latur.

.. RESPONDENTS

[copy of Respondent No. 1 to 3

to be served on C.P.O., M.A.T.,

Bench at Aurangabad]

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**APPEARANCE** : Shri N.B. Narwade, learned Advocate for the  
applicant.

: Smt. M.S. Patni, learned Presenting Officer  
for the respondents.

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**CORAM** : **JUSTICE M.T. JOSHI, VICE CHAIRMAN**  
**AND**  
**ATUL RAJ CHADHA, MEMBER (A)**

**DATE** : **11<sup>th</sup> December, 2018**  
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**ORAL - ORDER**

***(Per : Justice M.T. Joshi, Vice Chairman)***

1. Heard Shri N.B. Narwade, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By the present Original Application the applicant is seeking following reliefs :-

“A) By issuing appropriate order or direction in the like nature, the Respondent Authorities may kindly be directed to grant the promotion to the present applicant in the class III cadre with all service benefit, in view of the order passed by Respondent No. 2 dated 23.9.2013.”

3. The affidavit in reply is filed on behalf of res. no. 3 by Shri Shankar Govindrao Pusnake, Dist. Dairy Development Officer, Beed along with copy of statement made by the Commissioner of Dairy Development, Mumbai dated 30.9.2014. This statement is made before the competent authority / Commissioner of Handicapped Welfare, Mumbai, copy whereof is at page 36. In para 3 therein, the Commissioner of Dairy Development has made a statement that in case the present applicant would acquire requisite qualification of typing etc. then he would be given benefit of Assured Career Progression Scheme and in case he acquires further qualification, then second benefit of A.C.P. scheme would also be made applicable to him.

4. Learned Advocate for the present applicant adverts attention of the Tribunal to the rejoinder and submits that during the pendency of the present O.A. the applicant has acquired the requisite qualification in typing etc. for grant of benefit of A.C.P. scheme.

6. In the circumstances, we pass following order :-

**ORDER**

- (i) The present O.A. is disposed of on the strength of statement made by the concerned respondent before the competent authority / Commissioner of Handicapped Welfare, Mumbai as found at page 36 quoted hereinabove.
- (ii) In the circumstances, the concerned respondents are hereby directed to undertake a exercise regarding grant of benefit of A.C.P. scheme to the present applicant in view of the said statement (page 36), within a period of 3 months from the date of this order.

There shall be no order as to costs.

**(ATUL RAJ CHADHA)  
MEMBER (A)**

**(M.T. JOSHI)  
VICE CHAIRMAN**

**Place : Aurangabad  
Date : 11<sup>th</sup> December, 2018**