

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 664 OF 2021  
WITH  
MISC. APPLICATION NO. 77 OF 2022**

**ORIGINAL APPLICATION NO. 664 OF 2021**

**DISTRICT : AURANGABAD/HINGOLI**

1. **Sanjay S/o Digambar Gangawane,**)  
Age : 56 years, Occu. : Service, )  
Presently working as Senior Clerk,)  
Deputy Director of Land Record, )  
Aurangabad, Dist. Aurangabad. )
2. **Rajesh S/o Kisanrao Sadawarte,**)  
Age : 55 years, Occu. : Service, )  
Presently working as Head Quarter Assistant,)  
Deputy Superintendent of Land Record,)  
Aurangabad, Dist. Aurangabad. )
3. **Ashok S/o Eknath Bhadarge,** )  
Age : 55 years, Occu. : Service, )  
Presently working as Head Quarter Assistant,)  
Deputy Superintendent of Land Record,)  
Kannad, Dist. Aurangabad. )
4. **Milind S/o Shankar Divekar,** )  
Age : 53 years, Occu. : Shirastedar,)  
Deputy Superintendent of Land Record,)  
Kannad, Dist. Aurangabad. )
5. **Vinayak S/o Tukaram Kamble,** )  
Age : 54 years, Occu. : Shirastedar,)  
Deputy Superintendent of Land Record,)  
Gangapur, Dist. Aurangabad. )
6. **Bhimrao S/o Teja Chavan,** )  
Age : 51 years, Occu. : Service, )  
Presently working as Shirastedar,)  
Deputy Superintendent of Land Record,)  
Vasmat, Dist. Hingoli. )

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**APPLICANTS**

**V E R S U S**

1. **The State of Maharashtra,** )  
Through its Secretary, )  
Revenue and Forest Department, )  
Government of Maharashtra 4<sup>th</sup> Floor,) )  
Mantralaya, Mumbai-400032. )
2. **Settlement Commissioner and** )  
**The Director,** Land Record, 2<sup>nd</sup> and) )  
3<sup>rd</sup> Floor, New Administrative Building,) )  
Opp. Council Hall, Agarkarnagar, ) )  
Maharashtra State, Pune, ) )  
District Pune-411001. )
3. **Deputy Director of Land Record,**) )  
Aurangabad Damdi Mahal, ) )  
Behind Pnachayat Samiti, Aurangabad,) )  
District Aurangabad-431003. )

.. **RESPONDENTS****W I T H****MISC. APPLICATION NO. 77 OF 2022****DISTRICT : AURANGABAD  
/HINGOLI**

1. **Sanjay S/o Digambar Gangawane,**) )  
Age : 56 years, Occu. : Service, ) )  
Presently working as Senior Clerk,) )  
Deputy Director of Land Record, ) )  
Aurangabad, Dist. Aurangabad. )
2. **Rajesh S/o Kisanrao Sadawarte,**) )  
Age : 55 years, Occu. : Service, ) )  
Presently working as Head Quarter Assistant,) )  
Deputy Superintendent of Land Record,) )  
Aurangabad, Dist. Aurangabad. )
3. **Ashok S/o Eknath Bhadarge,** ) )  
Age : 55 years, Occu. : Service, ) )  
Presently working as Head Quarter Assistant,) )  
Deputy Superintendent of Land Record,) )  
Kannad, Dist. Aurangabad. )

4. **Milind S/o Shankar Divekar,** )  
Age : 53 years, Occu. : Shirastedar,)  
Deputy Superintendent of Land Record,)  
Kannad, Dist. Aurangabad. )
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Deputy Superintendent of Land Record,)  
Gangapur, Dist. Aurangabad. )
6. **Bhimrao S/o Teja Chavan,** )  
Age : 51 years, Occu. : Service, )  
Presently working as Shirastedar,)  
Deputy Superintendent of Land Record,)  
Vasmat, Dist. Hingoli. )

.. **ORIGINAL APPLICANTS**

**ADDING CO-APPLICANTS**

7. **Subhash S/o Kundlikrao Ingole,**)  
Age : 53 years, Occu. : Service as )  
Presently working as Shirastedar,)  
Deputy Superintendent of Land Record,)  
Kalamnuri, Tq. Kalamnuri, Dist. Hingoli.)
8. **Ram S/o Deoba Dhage,** )  
Age : 57 years, Occu. : Service as )  
Presently working as Headquarter Assistant,)  
Deputy Superintendent of Land Record,)  
Dharmabad, Dist. Nanded. )

.. **CO-APPLICANTS**

**V E R S U S**

1. **The State of Maharashtra,** )  
Through its Secretary, )  
Revenue and Forest Department, )  
Government of Maharashtra 4<sup>th</sup> Floor,)  
Mantralaya, Mumbai-400032. )
2. **Settlement Commissioner and** )  
The Director, Land Record, 2<sup>nd</sup> and )  
3<sup>rd</sup> Floor, New Administrative Building,)  
Opp. Council Hall, Agarkarnagar, )  
Maharashtra State, Pune, )  
District Pune-411001. )

**3. Deputy Director of Land Record,**  
 Aurangabad Damdi Mahal, )  
 Behind Pnachayat Samiti, Aurangabad,) )  
 District Aurangabad-431003. )

.. **RESPONDENTS**

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**APPEARANCE** : Shri V.B. Wagh, Advocate for the Applicants.

: Shri M.S. Mahajan, Chief Presenting Officer for  
 respondents.

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**CORAM** : **Shri V.D. Dongre, Member (J)**  
**and**  
**Shri Bijay Kumar, Member (A)**

**RESERVED FOR ORDER ON** : **01.12.2022**

**PRONOUNCEMENT OF ORDER ON** : **04.01.2023**

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**ORDER**  
**[Per : Shri Bijay Kumar, Member (A)]**

1. This Original Application No. 664 of 2021 had been filed by six numbers of co-applicants on 20.10.2021 invoking provisions of Section 19 of the Administrative Tribunals Act, 1985 as the applicants have been aggrieved by the process of effecting promotion of the employees in the cadre of Group 'C', Grade -II of Department of Land Records to the cadre of Deputy Superintendent, Land Records/ City Survey Officer- (Group-B) (Grade II) (Gazetted) using seniority list of the feeder cadre as on 01.01.2018 and as per recommendations of the Departmental Promotion Committee ( in short, 'DPC') held on 24.06.2021 and

05.08.2021 under the Chairmanship of the Settlement Commissioner & Director Land Records, Maharashtra State. The applicants had simultaneously filed a Miscellaneous Application No. 342 of 2021 filed on 20.10.2021 seeking leave to sue jointly which was granted to the applicants vide Oral Order dated 22.10.2021 in order to avoid multiplicity of litigation.

2. On 18.02.2022 yet another Miscellaneous Application bearing No. 77 of 2022 was filed in O.A. No. 664 of 2021 to grant leave to join two more co-applicants namely; Shri Subhash S/o Kundlikrao Ingole, a Shirestedar in the office of Deputy Superintendent of Land Records, Kalmanuri, Taluka –Kalmanuri, District –Parbhani and Shri Ram S/o Deoba Dhage, working as Head Quarter Assistant in the office of Deputy Superintendent of Land Records, Dharmabad, District- Nanded. However, from records of hearing that took place 09.03.2022 onwards does not have any mention whether the M.A. No. 77/2022 in O.A. No. 664 of 2021 had been allowed or not, except that there is mention of the M.A. No. 77/2022 in O.A. No. 664 of 2021 in title description part (Headings) of the Oral Orders passed on 09.03.2022, 16.03.2022, 31.03.2022 and 11.04.2022 with exception of Oral Orders dated 06.04.2022 and therefore, it is inferred that no

decision on the M.A. No. 77/2022 had been taken till the Original Application was finally hear and reserved for orders.

3. **Relief Sought in O.A. No. 664/2021:** - Original Applicant in O.A. No. 664/2021 had prayed for following reliefs in terms of prayer clause 17 and 18 which are being quoted verbatim as follows: -

**“17) THE APPLICANT THEREFORE PRAYS THAT:**

- (A) *Original Application may kindly be allowed.*
- (B) *To hold and declare the applicants for eligible for promotion from the cadre of Class-III (Group-C) to Class -II (Gazetted).*
- (C) *To restrain the respondent authorities from effecting the promotion of the cadre of Class-III (Group-C) to Class-II (Gazetted) unless and until the year wise seniority list is been published and till then no promotion should be effected by the respondent authorities.*
- (D) *To direct the respondent authorities to published the year wise seniority list of the cadre of Class-III (Group-C) at State Level.*
- (E) *Any other suitable relief may kindly be granted in favour of the applicant.”*

**“18-A. INTERIM RELIEF AS PRAYED**

- a) *Pending hearing and final disposal of this Original Application the respondent authorities may be restrained from effecting the promotions from the cadre of Class-III (Group-C) to Class -II (gazetted)*

*pursuant to the D.P.C. meeting dated 24.06.2021 till the claims of the applicants are been considered for promotion.”*

4. About O.A. No. 532/2020 and deciding issue of promotion to its sole applicant pending adjudication in O.A. No. 664/2021:

- *From Headings of Oral Orders dated 29.04.2022, 04.03.2022, 09.06.2022, 29.06.2022 and 12.07.2022 in O.A. No. 664/2021, it appears that Original Application No. 532 of 2020, which too was listed for hearing on the same day, was taken for joint hearing. It further appears from the contents of para 3 of the Oral Order dated 04.05.2022 that this Tribunal passed the Oral Order on 04.05.2022 after joint hearing upon considering the submissions made by learned Advocate for the applicant in O.A. No. 532/2020 and also considering the fact that *neither the learned Advocate appearing for the 6 applicants in O.A. No. 664/2021 and the 2 applicants in M.A. No. 77/2022 in O.A. No. 664/2021 nor the learned Chief Presenting Officer representing respondent authorities in the two O.As. opposed joint hearing of the O.A. No. 664/2021 with O.A. No. 532/2020 and order passed following such joint hearing. During the joint hearing that took place on 04.05.2022 relief was granted in following terms as stated in para 3 of the Oral Order dated 04.05.2022 by modifying interim relief granted earlier on 20.01.2022 (infra):-**

***“3. Shri A. S. Deshmukh, learned counsel appearing for the applicant in O.A. No. 532/2020 submitted that though the applicant in O.A. No. 532/2020 stands at serial No. 1 in the list of candidates in the zone of consideration also and the decision has already taken to promote him, the orders have not been issued because of the observations made by this Tribunal in the order dated 20.01.2022\* (infra). In the circumstances, it is clarified that the respondents may proceed with the promotions, however, 7 such posts shall be kept vacant until decision of the O.A. No. 664/2021. There may not be any difficulty to issue of promotion order to the applicant in O.A. No. 532/ 2020 namely Hemant J. Kinkhikar.”***

For ready reference, relevant part of Tribunal’s Order in the form of interim relief dated 20.01.2022 referred to above is quoted below: -

*“4. After hearing the arguments of both the sides, we find it necessary to peruse the original record of the D.P.C. The learned C.P.O. submits that within a week he will produce the said record. The learned C.P.O. in all fairness submits that he will instruct the respondents not to issue the promotion order till the next date.....”*

5. Effect of the Oral Order dated 04.05.2022 assumes significance as the promotion to all candidates associated with selection process under challenge by O.A. No. 664/2021 were allowed to be promoted however, 7 posts were to be kept vacant. Order to that effect was passed even before the grounds of seeking reliefs in the two O.As. had been adjudicated. At this stage, it was, obviously, taken in to account that the name of the sole applicant in O.A. No. 532/2020 was appearing in select list of O.A. No. 664/2021 too and therefore, could be considered during joint hearing.

6. It is also observed that *peculiarly* there is no cross mention in records of O.A. No. 532/2020 of the relief granted to the sole applicant in O.A. No. 532/2020 during joint hearing with O.A. No. 664/2021 by Oral Orders dated 04.05.2022 in O.A. No. 664/2021. Instead, in the relevant part of Oral Orders dated 24.11.2022 in O.A. No. 532/2020 mention to following effect is seen to have been made which may have effect on grant of deemed date:

*“2. Learned Advocate for the applicant submits that during pendency of the present Original Application the applicant has been promoted to the post of Deputy Superintendent of Land Records vide order dated 27.05.2022. In view of the same, he submits that the matter will proceed further only in*

*respect of deemed date for the applicant in respect of the said post.*

*3. Learned Presenting Officer submitted that the respondents are considering the case of the applicant for granting deemed date.”*

7. Learned Chief Presenting Officer made oral submissions before this Tribunal during hearing on 30.09.2022 that in pursuance of the Oral Order passed by this Tribunal on 04.05.2022, 76 posts out of total vacancies of 92 posts have been filled up by promotion. Learned C.P.O. has submitted a copy of promotion orders dated 27.05.2022 on 14.07.2022 which is enclosed at page No. 20 to 28 of Compilation marked as No. 2.

8. *Thus, it is obvious that the order dated 04.05.2022 passed in joint hearing of O.A. No. 532/2020 with O.A. No. 664/2021 with M.A. No. 77/2022 in O.A. No. 664/2021 had been passed even though the underlying points of law and procedural sanctity, which is under challenge, were yet to be decided, leaves the Tribunal with a challenge regarding scope of relief that can be finally granted in the O.A. No. 664/2021 and O.A. No. 532/2020.*

**9. Pleadings and Oral Submissions in O.A. No. 664/2021: -**

Pleading by the two sides to the dispute in O.A. No. 664/2021

were complete by filing affidavit in reply on behalf of respondent No. 1 to 4, rejoinder affidavit filed on behalf of the applicant, sur-rejoinder filed on behalf of respondent authorities and additional affidavit filed on behalf of the two sides and written notes of arguments filed on behalf of respondent Nos. 1 to 3 in O.A. No. 664/2021. As directed by the Tribunal the learned C.P.O also submitted on 07.09.2022 photocopy of minutes of the meeting of the Departmental Promotion Committee held on 24.06.2021 and 05.08.2021. All the said documents were taken on record and copies thereof provided to the other sides. The matter was finally argued by the learned advocates for the two contesting sides on 01.12.2022, the same was reserved for orders. Oral orders were passed in O.A. No. 532/2020 too, based on a brief oral submissions made by learned Advocate appearing for the sole applicant and not raising objection by the learned Advocate for the applicants in O.A. No. 664/2021 with M.A. No. 77/2022 in O.A. No. 664/2021 to the said submissions made in respect of promotion being granted to the applicant in O.A. No. 532/2020.

**10. Analysis of facts on record and the oral submissions made by the contesting parties:** - Upon analysis, it is observed that-

- i. The respondent authorities had published combined final seniority list of the feeder cadre i.e. Group C, Grade –II of department of land records as on 01.01.2018 vide Circular No. आस्था/प्र.क. २१८/आस्था-४, पुणे, dated 22.08.2019 to which the applicants in O.A. No. 664/2021 have not raised any objection, what so ever. Rather, the applicants have staked claims for promotion based on their seniority position depicted in the same seniority list.
- ii. The minutes of Departmental Promotion Committee dated 24.06.2021 and 05.08.2021 has complete details on all scrutiny points including the following aspects to which the applicants in O.A. No. 664/2021 have not raised any objection/ grievance in their original application:
  - a. *Determination of vacancy position under promotion quota in Group B (Grade-II) (Gazetted) cadre of department of land records (promotion quota being 65% of vacancies) as on 31.05.2021*
  - b. *No. of vacant posts under promotion quota to be kept vacant for candidates pending their caste verification report, completion of period of punishment inflicted under disciplinary action or cases of promotion kept in sealed envelope etc.*
  - c. *No. of employees from the feeder cadre to be included in Zone of Consideration for promotion by following the ratio*

*prescribed by GR issued by General Administration Department bearing No. SRV 1089/406/ file no.-05/89/12, dated 01.08.2019. The applicants have not raised any objection to determination of number of employees included in Zone of Consideration.*

- d. List of employees who fulfill criteria of minimum 5 years of regular service in the department of land records and minimum regular service of 3 years in in the feeder cadre, as prescribed under Recruitment Rules*
  - e. Who fulfill minimum requirement of grading of Annual Performance Report*
  - f. Who fulfill requirement of passing post-recruitment departmental and qualifying examination for promotion*
  - g. Who had completed probation period successfully*
  - h. Whose service have been determined to be permanent*
  - i. Who have submitted Asset Liability Certificate*
  - j. Whose services have been continued after review on attaining age of 50/55 years*
  - k. Who are facing departmental action / criminal proceedings etc.*
- iii. The respondent authorities Nos. 1 to 3 have submitted in para-Nos. 5, 11, 12, 13, 15 and 20 of affidavit in reply submitted on 19.01.2022 (page 69 to 72 of Paper-Book) that the seniority list dated 01.01.2018 has been

considered along with government directives issued by GR dated 07.05.2021 and accordingly promotions have been finally given to employees in the feeder cadre found to be eligible for promotion. The applicants in O.A. No. 664/2021 have not adduced any evidence to establish that there has been deviation/ wrong application of provisions of GR dated 07.05.2021. On the other hand, the applicants have only reiterated their claims for promotion based on their seniority position depicted in final combined seniority list as on 01.01.2018, as per submission made in para 2, page 76 of the paper-book.

- iv. Respondent No. 1 to 3 have made submissions elaborating detailed procedure followed by them while applying provisions of GR dated 07.05.2021 which is stated in Annexure R-1, page 84 to 90 of paper-book. According to the procedure adopted, the combined final seniority list dated 01.01.2018 has been taken as the primary list of candidates. On this list various scrutiny points have been applied as narrated earlier in para (i) and (ii) of this order. In addition, provisions of GR dated 07.05.2021 too had been applied to finally prepare the list of names in zone of consideration. Applicants in O.A. No. 664/2021 have not

pointed out any shortcoming / defect in the various steps undertaken by the respondents in this regard.

- v. In the present matter, it may also be noted that the cadre of Group C (Grade II) of Dept. of Land Records, which is a regional cadre, is the feeder cadre for promotion to the post of Deputy Superintendent of Land Records / City Surveyor (Group B) (Grade II) (Gazetted) which in turn is a state cadre. Employees joining at first level of entry in the Department of Land Records, i.e. in the cadre of Group C (Grade IV) on the same date in different regions may have different speed of promotion and as such, they may reach stage of Group C (Grade II) on different dates. GR dated 07.05.2021 does not provide for neutralizing this inter-regional differential speed of promotion, to the contrary, it aims at neutralizing higher level of seniority attained only due to reservation in promotion. Therefore, the respondents have used regional seniority at entry level for giving effect to provisions of GR dated 07.05.2021. It is obvious that the applicants in O.A. No. 664/2021 have not appreciated this finer point and therefore, continue to harbour the grievance regarding faster promotion to employees in feeder cadre who belong to Nagpur region and whose names appear at

seniority No. 210 to 219 of the Combined final seniority-list for the feeder cadre of Group C (Grade II) as on 01.01.2018.

- vi. The respondent authorities have submitted minutes of the meeting of Departmental Promotion Committee by a separate compilation marked as Compilation No. 3. It contains, in addition to other issued, following relevant details worked out by the DPC:-
- a. Combined final seniority list of employees in feeder cadre as on 01.01.2018 is enclosed at page No. 21 to 51 of the compilation marked as No. 3 for identification.
  - b. Combined seniority list worked out by applying filter of provisions of GR dated 07.05.2021 has been incorporated at page No. 52 to 70 of this Compilation marked as No. 3 for identification.
  - c. List of names in Zone of Consideration for promotion has been worked out and incorporated at page No. 71 to 79 of the Compilation marked as No. 3 for identification.
  - d. List of employees whose names deleted from Zone of Consideration for reason of death, superannuation, voluntary retirement, dismissal from service, already promoted etc. is incorporated at page No. 80 to 89 of Compilation marked as No. 3 for identification.

- e. List of employees whose names have been deleted from Zone of Consideration upon applying provisions of GR dated 07.05.2021 is incorporated at page No. 90 to 94 of Compilation marked as No. 3 for identification.
- f. List of employees who had declined promotion is at page no. 95 of Compilation marked as No. 3 for identification.
- g. Eligibility of employees in Zone of consideration after applying filter of grading of their Annual Performance Reports for last 5 years is at page 96 to 132 of Compilation marked as No. 3 for identification.
- h. List of employees whose names have been deleted from Zone of Consideration based on their failure to pass Qualifying Examination / Ongoing Departmental Action etc. is at page No. 133 to 134 of the Compilation marked as No. 3 for identification.
- i. Names of employees in select list of promotion is at page No. 135 to 138 of Compilation marked as No. 3 for identification.
- j. List of Disability affected employees not fit for promotion is at page No. 139 of Compilation marked as No. 3 for identification.

k. List of disability affected employees in select list for promotion is at page No. 140 of Compilation marked as No. 3 for identification.

1. Consolidated Select List for promotion, including employees under Physically Handicapped category is at page No. 141 to 144 of the Compilation marked as No. 3 for identification.

\*\* It is being clarified that compilation marked as No. 1 and submitted by learned C.P.O. on 29.04.2022 has documents common to Compilation marked as No. 3.

vii. From above analysis, it is observed that the respondent authorities have furnished complete details on the process of promotion being carried out is concerned. On the other hand, applicants in O.A. No. 664/2021 have not adduced and evidence, what so ever, by which contents of any of the details worked out by the DPC could be found to be in violation with prescribed rules/ guidelines/ procedure or which supports any of the grounds on which the present O.A. has been filed. Therefore, in our considered opinion, the applicants in O.A. No. 664/2021 have failed to establish that the provisions of GR dated 07.05.2021 have not been applied properly.

- viii. Let us now examine contention of the applicant in O.A. No. 664/2021 in respect of G.R. dated 01.08.2019 issued by General Administration Department. It is admittedly that final seniority list for the post of feeder cadre for the post of Deputy Superintendent Land Records/ City Surveyor (Group-B) (Grade-II) (Gazetted) as on 01.01.2018 has been published. The learned Advocate for the applicants in O.A. No. 664/2021 has also not commented on provisions of clause (e) of the G.R. dated 01.08.2019 (*supra*) which permits promotion on provisional basis during the period final, up to date seniority list is yet to be finalized. On perusal of import of clause (e) of the G.R. dated 01.08.2019 (*supra*), in our considered opinion, provisional promotion can be given by the respondents based on seniority list as on 01.01.2018 which had been finalized earlier.
- ix. The last but not the least, it is also observed that though the applicants in O.A. No. 664/2021 have submitted that no promotion to the post of Deputy Superintendent, Land Records/ City Survey Officer- (Group-B) (Grade II) (Gazetted) is permissible under extant rules without final publication of up-to-date seniority list of the feeder cadre in

view of guidelines issued by General Administration Department of Government of Maharashtra by Government Resolution No. SRV-2018/प्र.क्र. 159/कार्यासन-12. Mantralaya, Mumbai-32 dated 01.08.2019. But, the applicants have, to the contrary to their submissions made in the original application, agreed to granting promotion to the sole applicant in O.A. No. 532/2020 as per Oral Orders dated 04.05.2022 during a joint hearing of O.A. No. 664/2021 with O.A. No. 532/2020. At this stage, the applicants in O.A. No. 664/2021 appear to have even acquiesced to promotion being granted to total 85 employees appearing in the select list on condition of keeping 7 posts vacant pending final decision in O.A. No. 664/2021. In view of this, in our considered opinion, the applicants have taken inconsistent and mutually contradictory stand before this Tribunal on the points of law and facts for adjudication resultantly, negated the grounds stated in the original application for seeking relief. Therefore, it is being observed that the applicants in O.A. No. 664/ 2021 have not come with consistent plea and as such the said O.A. does not merit consideration.

**11. Conclusion:** From analysis of facts on record and oral submissions made by the contesting parties, in our considered opinion, there is no merit in the O.A. No. 664/2021 and therefore, the following order:-

**ORDER**

- (A) Original Application No. 664/2021 is dismissed for reason of being misconceived and devoid of merit.
- (B) M.A. No. 77/2022 stands disposed of, being infructuous.
- (C) Oral Order dated 04.05.2022 in respect of keeping 7 posts of Deputy Superintendent Land Records/ City Surveyor (Group B) (Grade-II) is, hereby, vacated.
- (D) Respondent Authorities may complete the process of granting promotion to the post of Deputy Superintendent Land Records/ City Surveyor (Group B) (Grade-II) as per prescribed procedure and the promotion so granted, including those in pursuance of this Tribunal's Oral Order dated 04.05.2022, shall be on provisional basis mention to the same effect be made on promotion order issued.
- (E) Deemed date of promotion under rule 5 of Maharashtra Civil Services (Regulation of Seniority) Rules, 1982 shall be granted to all the promotions including those granted in pursuance of order of this

Tribunal dated 04.05.2022, only after compliance with provisions of GR. Dated 01.08.2019.

(F) No Order as to Costs.

**MEMBER (A)**

**MEMBER (J)**

Kpb/D.B. O.A. 664 of 2021 VDD & BK 2022 Promotion