

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

Common Judgment in O.A. Nos. 64, 65, 66 & 67 all of 2014

(1) Original Application No. 64 of 2014

DIST. : Ahmednagar

Mahindra s/o Bhimsen Takpire,
Age. 42 years, Occ. Service,
r/o Mohanbag, Dilligate,
Plot no. 4, Ahmednagar,
Dist. Ahmednagar.

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APPLICANT

VERSUS

1. The State of Maharashtra,
Through Secretary,
Urban Development Department,
Mantralaya, Mumbai - 32.
2. The District Collector,
Ahmednagar.
3. The Chief Officer,
Shirdi Nagar Panchayat,
Shirdi.
4. The District Project Officer,
Ahmednagar.
5. V.R. Chavan,
Age. 47 Years, Occu. Service,
R/o C/o Deolali Pravara Municipal
Council, Dist. Ahmednagar.

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RESPONDENTS

WITH

(1) Original Application No. 65 of 2014

DIST. : Ahmednagar

Ramanand s/o Dinkar Pardhe,
Age. 48 years, Occ. Service,
r/o Shrigonda, Dist. Ahmednagar.

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APPLICANT

VERSUS

1. The State of Maharashtra,
Through Secretary,
Urban Development Department,
Mantralaya, Mumbai - 32.
2. The District Collector,
Ahmednagar.
3. The Chief Officer,
Shrigonda Municipal Council,
Shrigonda.
4. The District Project Officer,
Ahmednagar.
5. Sayyed Ayub Baba,
Age. Years, Occu. Service,
R/o C/o Pathardi Municipal Council,
Pathardi, Dist. Ahmednagar.

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RESPONDENTS

WITH**(3) Original Application No. 66 of 2014**

DIST. : Ahmednagar

Bhagyoday s/o Dattatray Pardeshi,
Age. 35 years, Occ. Service,
r/o Vadagale Vasti, Station Road,
Kopargaon, Dist. Ahmednagar.

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APPLICANT

VERSUS

1. The State of Maharashtra,
Through Secretary,
Urban Development Department,
Mantralaya, Mumbai - 32.

2. The District Collector,
Ahmednagar.
3. The Chief Officer,
Shirdi Nagar Panchayat,
Shirdi.
4. The District Project Officer,
Ahmednagar.
5. Dattu s/o Chimaji Salve,
Age. 47 Years, Occu. Service,
R/o C/o Pathardi Municipal Council,
Dist. Ahmednagar. -- RESPONDENTS

WITH**(4) Original Application No. 67 of 2014**

DIST. : Ahmednagar

Ambadas s/o Bhummayya Mergu,
Age. 44 years, Occ. Service,
r/o B-80, Premdan, HUDCO,
Savedi, Ahmednagar,
Dist. Ahmednagar. -- APPLICANT

VERSUS

1. The State of Maharashtra,
Through Secretary,
Urban Development Department,
Mantralaya, Mumbai - 32.
2. The District Collector,
Ahmednagar.
3. The Chief Officer,
Shirdi Nagar Panchayat,
Shirdi.
4. The District Project Officer,
Ahmednagar.

5. B.N. Unde,
Age. 54 Years, Occu. Service,
R/o C/o Deolali Pravara Municipal
Council, Dist. Ahmednagar. -- RESPONDENTS

APPEARANCE : Shri S.V. Natu, learned Advocate for
the Applicants in all four O.As.

: Smt. D.S. Deshpande, learned Presenting
Officer for the Respondent nos. 1, 2 & 4 in
all O.As.

: None appeared for the Respondent nos. 3
& 5 in O.A. no. 65/2014.

: Shri A.V. Hon, learned Advocate for
Respondent no. 3 in O.A. nos. 64, 66 & 67
of 2014. None appears for Respondent
no. 5 in these O.As.

CORAM : Hon'ble Shri Rajiv Agarwal, Vice Chairman
A N D
Hon'ble Shri J.D. Kulkarni, Member (J)
DATE : 21.10.2016

JUDGMENT

{PER : HON'BLE SHRI RAJIV AGARWAL, VICE CHAIRMAN}

1. Heard Learned Advocate Shri S.V. Natu for the Applicants
in all four O.As. Heard learned Presenting Officer Smt. D.S.
Deshpande for the Respondent nos. 1, 2 & 4 in all O.As.
2. None appeared for the Respondent nos. 3 & 5 in O.A. no.
65/2014.

3. Learned Advocate Shri A.V. Hon for the Respondent no. 3 in O.A. nos. 64, 66 & 67 of 2014. None for the Respondent no. 5 in these O.As.

4. These O.As. were heard together and are being disposed of by a common order as the issues to be decided are identical.

5. The Applicant in O.A. no. 65/2014 was working in Shrigonda Municipal Council while the Applicants in O.A. nos. 64, 66 and 67 of 2014 were working in Shirdi Nagar Panchayat in Ahmednagar District.

6. All the Applicants were absorbed in State Govt. service by virtue of the Maharashtra Municipal Councils, Nagar Panchayats, and Industrial Townships State Services (Absorption, Recruitment and Conditions of Service) Rules, 2006 as amended from time to time. The orders were passed by the Divisional Commissioner, Nashik on 4.10.2010 and by the Respondent no. 2 on 23.11.2010. On 15.12.2011, a seniority list of all absorbed employees was prepared by the Respondent no. 2 and the Applicants were posted as Assistant Tax Inspectors in Shrigonda & Shirdi Municipal Council / Nagar Panchayat. By order dated 31.12.2013, issued by the Divisional Commissioner, Nashik and order dated 17.1.2014 issued by the Respondent no.

2 the Applicants were reverted to the post of Clerks and the Respondents no. 5 posted in their place. These O.As. were filed to challenge the aforesaid orders. By separate orders dated 26.6.2014, interim relief was granted to the Applicants in these O.As. and they continued to work in the respective promotional posts.

7. Learned Counsel for the Applicants stated that the Applicants have been given promotion as Assistant Tax Inspectors by the Respondent no. 2 during the pendency of these O.As.

8. As the grievance of the Applicants has been redressed by the Respondent no. 2, these O.As. do not survive and are disposed of accordingly with no order as to costs.

MEMBER (J)

VICE CHAIRMAN