

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**MISC APPLICATION NO 247 OF 2021**

**IN**

**ORIGINAL APPLICATION NO 220 OF 2020**

**WITH**

**ORIGINAL APPLICATION NO 220 OF 2020**

**[CORRECTED COPY]**

**DISTRICT : PUNE**

1. Shri Dinesh Namdeo Taware, )  
Working as Zonal Officer, )  
A-Zone, Food Grains Distribution )  
Pune. )
2. Shri Ankush S. Kamble, )  
Working as Supply Inspecting Officer) )  
Office add: District Supply Office, )  
Collector Office, Pune. )
3. Shri Prashant M. Khatal, )  
Working as Zonal Officer, )  
Office Add: E-Zone, )  
Food Grains Distribution Office, )  
Pune. )...**Applicant**

**Versus**

1. The State of Maharashtra )  
Through the Principal Secretary, )  
Food & Civil Supplies & Consumer )  
Protection Department, Matralaya, )  
Mumbai 400 032. )
2. Principal Secretary, )  
General Administration Department )  
Mantralaya, Mumbai 400 032. )...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM** : **Justice Mridula Bhatkar (Chairperson)**  
**Mrs Medha Gadgil (Member) (A)**

**DATE** : **01.03.2022**

**PER** : **Justice Mridula Bhatkar (Chairperson)**

### **J U D G M E N T**

1. The applicants prays that the final seniority list of Supply Inspecting Officer, Grade-B, (Gazetted) dated 27.1.2020 and 12.2.2020 be quashed and set aside the Respondents be directed to prepare the seniority list of Supply Inspector, Grade-B (Gazetted) at the Revenue Divisional level, as the present seniority list was prepared at State level. However, as per the prevalent Recruitment Rules the seniority list should have been prepared at Divisional level and accordingly promotions are to be given at Divisional level.

2. Learned counsel for the applicants submits that if the seniority list is prepared at State level, then the applicants would suffer. Learned counsel for the applicants pointed out that since 2020 promotions to the post of Supply Inspecting Officers are not given. Learned counsel for the applicants submitted that the Respondents should not have prepared the seniority list at State level when there are specific directions given by the G.A.D.

3. Learned C.P.O relied on the affidavit in reply on behalf of Respondents no 1 & 2 dated 16<sup>th</sup> November, 2021, filed by

Vandana S. Sangar, that the new Recruitment Rules for the post of Supply Inspecting Officer/Zonal Officers are not prepared and they are in the pipeline. Learned C.P.O submitted that she is unable to tell when they are going to be prepared and finalized. Along with the affidavit in reply the noting of G.A.D dated 4.5.2018 is also produced.

4. However, as on today, as per the present Recruitment Rules of 1984, the seniority list of the officers are to be prepared at Divisional level. After hearing both the sides and we have gone through the affidavit in reply and noting of G.A.D dated 4.5.2018, we are of the view that the seniority list is to be prepared of the officers as per the existing Recruitment Rules of 1984.

5. In view of the above, nothing remains in both the applications. Misc Application and Original Application stands disposed of.

6. The Original Application is allowed. The seniority list of Supply Inspecting Officer, Grade-B (Gazetted) dated 27.1.2020 and 12.2.2020 prepared by the Respondents is quashed and set aside.”

**SD/-**  
**(Medha Gadgil)**  
**Member (A)**

**SD/-**  
**(Mridula Bhatkar, J.)**  
**Chairperson**

**Place : Mumbai**  
**Date : 01.03.2022**  
**Dictation taken by : A.K. Nair.**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. \_\_\_\_\_ of 20 \_\_\_\_\_

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>03.03.2022</u></b></p> <p align="center"><b><u>O.A 220/2020 with M.A 247/2021</u></b></p> <p align="center"><b><u>SPEAKING TO THE MINUTES</u></b></p> <p>D.M Taware &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Mrs Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Application for speaking to the minutes was moved by the learned counsel for the applicant. In the order dated 1.3.2022, in para 5 the operative portion of the order is remained to be mentioned due to oversight.</p> <p>3. Learned C.P.O submits to the order of the Court.</p> <p>4. In the order dated 1.3.2022, para 6 is to be added as follows:-</p> <p>“6. The Original Application is allowed. The seniority list of Supply Inspecting Officer, Grade-B (Gazetted) dated 27.1.2020 and 12.2.2020 prepared by the Respondents is quashed and set aside.”</p> <p>5. Ordered accordingly.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>