

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 410 with O.A 411 OF 2022**

DISTRICT :

1) ORIGINAL APPLICATION NO. 410 OF 2022

1. Shri Satish Atmaram Kapre,)
R/o: A/P Kurdu, Tal-Mhada,)
Dist-Solapur.)
2. Shri Shahrukh S. Mulla,)
R/o: A/P Paryanti, Tal-Mann,)
Dist-Satara.)...**Applicant**

Versus

1. The Superintendent of Police,)
Solapur [Rural],)
Having office at Solapur.)
2. The Addl. Director General of Police,)
[Training & Special Unit], M.S,)
Mumbai.)
Having office in the office of Director)
& Inspector General of Police,)
Mumbai, Old Council Hall,)
S.B Marg, Mumbai 400 039.)...**Respondents**

2) ORIGINAL APPLICATION NO. 411 OF 2022

- Shri Arjun Haribhau Ghodke,)
Occ-Nil, R/o: A-Ardhamasla, P-Rui,)
Tal-Ghewari, Dist-Beed.)...**Applicant**

Versus

1. The Commissioner of Police,)
Navi Mumbai,)
Having office at Navi Mumbai.)

2. The Addl. Director General of Police,))
[Training & Special Unit], M.S,)
Mumbai.)
Having office in the office of Director)
& Inspector General of Police,)
Mumbai, Old Council Hall,)
S.B Marg, Mumbai 400 039.)...**Respondents**

Shri B.A Bandiwadekar, 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 : **04.05.2022**

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

J U D G M E N T

1. These applications are heard together and are disposed of by a common order as the issue involved is the same.

2. In O.A 4120/2022, the applicants have challenged the impugned orders dated 10.2.2022 and 3.12.2021, and in O.A 411/2022, the applicant has challenged the impugned order dated

27.1.2022 passed by Respondent no. 1, under which he cancelled the selection of the applicants to the post of Police Constable (Driver) in view of the fact that they have made applications for the same post at two different Police units.

3. Learned counsel for the applicants relied on the judgment of this Tribunal dated 11.4.2022 in O.A 144/2022 & Ors, Shri Amit H. Daphal & Ors Vs. The Superintendent of Police, Alibaug, Dist- Raigad & Ors and submitted that the applicants in the present Original Applications are similarly situated.

4. In view of the above, we pass the following order:-

ORDER

- (a) Both the Original Applications are allowed.
- (b) The impugned orders dated 10.2.2022 and 3.12.2021 in O.A 410/2022 and 27.1.2022 in O.A 411/2022 are hereby quashed and set aside. The candidature of the applicants is to be considered and they are allowed to participate in the further process of selection.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 04.05.2022
Dictation taken by : A.K. Nair.