

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NOS 89, 90 & 114 OF 2021**

**DISTRICT : SOLAPUR**

**1) ORIGINAL APPLICATION NO. 89 OF 2021**

1. Shri Nanasaheb C. Koli, )  
Circle Officer at Mohol, Dist-Solapur) )  
R/at : Mangalvedha, Siddhapur, )  
Dist-Solapur. )
2. Mr Babasaheb P. Gaikwad, )  
Circle Officer, Tal-Karmala, )  
Dist-Solapur. )  
R/at Post Warkatne, Tal-Karmala, )  
Dist-Solapur. )
3. Mr Chandrakant N. Ghadge, )  
Circle Officer at Tal-Mangalvedha, )  
R/at A 335/336, Aditya Nagar, )  
Vijapur Road, Solapur. )...**Applicants**

**Versus**

1. The State of Maharashtra )  
Through the Addl. Chief Secretary, )  
Revenue & Forest Department, )  
Mantralaya, Mumbai 400 032. )
2. The Revenue Commissioner, )  
Pune Division, Council Hall, )  
Vidhan Bhavan, Bund Garden Road,)  
Pune 411 001. )

3. The District Collector, )  
Solapur, Collector Compound, )  
1<sup>st</sup> floor, Main Bldg, )  
Siddheshwar Peth, Solapur 413 001 )
4. The Addl. Chief Secretary, )  
General Administration Department,) )  
Mantralaya, Mumbai 400 032. )...**Respondents**

**2) ORIGINAL APPLICATION NO. 90 OF 2021**

1. Mrs Smita Nitin Gaikwad, )  
Awal Karkoon at SDO, Solapur )  
R/at : Siddharth Hsg. Society, )  
Behind Civil Hospital, Solapur )
2. Mrs Jayshree C. Panche, )  
Awal Karkoon, Tahsil office Solapur )  
R/at: 22/B, Ganesh Hsg. Soc. )  
Behind Nagni Deshmukh Apt, )  
Budhwar Peth, Solapur. )
3. Mr Subhash Laxman Kamble, )  
Awal Karkoon at Karmala, )  
Tahsil Office, Solapur. )  
R/at Quarter Tahsil Office, Karmala)  
Dist-Solapur. )...**Applicants**

**Versus**

1. The State of Maharashtra )  
Through the Addl. Chief Secretary, )  
Revenue & Forest Department, )  
Mantralaya, Mumbai 400 032. )
2. The Revenue Commissioner, )  
Pune Division, Council Hall, )

- Vidhan Bhavan, Bund Garden Road,) )  
 Pune 411 001. ) )
3. The District Collector, ) )  
 Solapur, Collector Compound, ) )  
 1<sup>st</sup> floor, Main Bldg, ) )  
 Siddheshwar Peth, Solapur 413 001 ) )
4. The Addl. Chief Secretary, ) )  
 General Administration Department,) )  
 Mantralaya, Mumbai 400 032. )...**Respondents**

**3) ORIGINAL APPLICATION NO. 114 OF 2021**

- Mr Sunil Kerba Belbhandare, ) )  
 Circle Officer at Kamati, Tal-Mohol ) )  
 Dist-Solapur, R/at Tilak Nagar, ) )  
 Hotgi Road, Solapur. )...**Applicants**

**Versus**

1. The State of Maharashtra ) )  
 Through the Addl. Chief Secretary, ) )  
 Revenue & Forest Department, ) )  
 Mantralaya, Mumbai 400 032. ) )
2. The Revenue Commissioner, ) )  
 Pune Division, Council Hall, ) )  
 Vidhan Bhavan, Bund Garden Road,) )  
 Pune 411 001. ) )
3. The District Collector, ) )  
 Solapur, Collector Compound, ) )  
 1<sup>st</sup> floor, Main Bldg, ) )  
 Siddheshwar Peth, Solapur 413 001 ) )

4. The Addl. Chief Secretary, )  
General Administration Department,) )...**Respondents**  
Mantralaya, Mumbai 400 032. )

Shri K.R Jagdale, learned advocate for the Applicants.

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

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

**DATE : 15.06.2022**

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

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

1. The issues involved in these three Original Applications are similar, therefore, they are heard together and disposed of by a common order.

2. The applicants working as Awal Karkoon and Circle Officer are now eligible for promotion to the post of Naib Tahsildar. The applicants therefore pray that the Respondents be directed to consider their candidature for promotion to the post of Naib Tahsildar with all other consequential service benefits.

3. Affidavit in reply dated 23<sup>rd</sup> September, 2021 is filed by Respondents no 1 to 4 through Shriram Dattatraya Yadav, Joint Secretary in the office of Addl. Chief Secretary, Revenue and Forest Department, Mantralaya, Mumbai.

4. Learned counsel for the applicants submits that juniors to the applicants were promoted to the post of Naib Tahsildar earlier. The case of the applicants was not considered in the last meeting of the D.P.C.

5. In view of the prayers made in all the three Original Applications, our attention was drawn by learned C.P.O to the affidavit in reply dated 23.9.2021 filed by the Respondents and especially to paragraphs 11 and 13, wherein it is stated by the Respondent-State that in the D.P.C meeting which was held on 5.10.2020 the applicants were considered for promotion and they were found eligible for promotion to the post of Naib Tahsildar and detail report was sent to the Government for approval as per G.R dated 1.8.2019. Learned C.P.O submits that unfortunately the promotion orders were not issued and they were not given promotion. Learned C.P.O submits that in the next meeting of the D.P.C the case of all the three applicants will be considered for promotion to the post of Naib Tahsildar. She further submits that the Respondent-State has taken a policy decision in respect of promotion and reservation by issuing G.R dated 7.5.2021, which is subject to the outcome of the pending SLP before the Hon'ble Supreme Court in the case of State of Maharashtra & Ors Vs. Vijay Ghogre, SLP No. 20306/2017.

6. We have considered the averments made in the Original Applications and the submissions of the learned counsel Mr Jagdale and the learned C.P.O. It appears that the meeting of the D.P.C is going to be scheduled in the month of July, 2022. All the three applicants were found eligible in the earlier D.P.C meeting held on 5.10.2020 and therefore, their names are to be considered in the next D.P.C meeting for promotion to the post of Naib Tahsildar.

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

- (a) The Original Applications are partly allowed.
- (b) Respondents are directed to consider the case of the applicants for promotion to the post of Naib Tahsildar and if found fit, they are to be promoted to the post of Naib Tahsildar with all other consequential service benefits.
- (c) No order as to costs.

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

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

**Place : Mumbai**  
**Date : 15.06.2022**  
**Dictation taken by : A.K. Nair.**