

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**

**NAGPUR BENCH, NAGPUR**

**ORIGINAL APPLICATION NO.489/2017.** (D.B.)

Ku. Megha d/o Sadashiv Rathod,  
(Sou. Megha w/o Pramod Naik),  
Aged about 28 years,  
Occ-Studen & Household Work,  
R/o Plot No.6, C/o Vinay Shrivastava,  
Atre Layout, Pratapnagar, Nagpur.

**Applicant.**

**-Versus-**

- 1) The State of Maharashtra,  
Through its Secretary,  
Department of Revenue,  
Mantralaya, Mumbai-400 032.
- 2) The District Selection Committee,  
Collectorate, Gondia.  
Through its Chairman.
- 3) The Collector, Gondia.  
Tq. & Dist. Gondia.

**Respondents**

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Shri C.A. Joshi, the learned counsel for the applicant.  
Shri S.A. Sainis, the learned P.O. for respondents.

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**Coram:-Shri Shree Bhagwan, Member (A) and**  
**Shri Anand Karanjkar, Member (J)**

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**JUDGMENT**

(Passed on this 4<sup>th</sup> day of April 2019.)

**Per:- Member (A)**

Heard Shri C.A. Joshi, the learned counsel for the applicant and Shri S.A. Sainis, the learned P.O. for the respondents.

2. The applicant Ku. Megha d/o Sadashiv Rathod, applied for the post of Talathi in response to the advertisement (Annexure A-1, Page 18) published by District Selection Committee, Gondia (R.2). In the application (Annexure A-2), in column—Do you have caste validity certificate ?, she has mentioned “Yes” and her category as DT (A)/VJ(A), sub caste Banjara. At the time of filling the application form, it was informed by the applicant that she had caste certificate issued by Sub-Divisional Officer, Darwha. However, she was not having the certificate of concerned Caste Validity Scrutiny Committee. The respondents, vide their result published (Annexure A-6) have listed the applicant at Sr. No. 1 in VJ(A) category. In remark column, they have declared her ineligible. In the said published result, they have further mentioned in para 5 following remarks:-

“विजा (अ) महिला (VJ-A) एकूण पद सदर प्रवर्गात कु. मेघा सदाशिव राठोड व कु. मोनाली भिकमचंद राठोड यांनी ऑनलाईन फॉर्म भरताना त्यांनी जात वैधता प्रमाणपत्र असल्याचे नमूद केले होते, परंतु प्रत्यक्षात तपासणीच्या वेळेस मात्र त्यांचेकडे जात वैधता प्रमाणपत्र नसल्याचे आढळून आले आहे.”

3. The learned counsel for the applicant has filed pursis dated 1.3.2019 and alongwith G.R. dated 22.8.2007 (Annexure A-9, Page 70). However, on perusal of the G.R. it appears that it is a direction given by the Government to appropriate authority concerned for issuing caste validity certificate. Contention of the applicant is that since her brother had caste validity certificate at the time of filing the application form for the post of Talathi issued by the Government, she had filled application form accordingly. However, that is no direction that if any blood relation has caste validity certificate, they can be made applicable or the candidates also. In the advertisement at para 8 (vi), the caste validity certificate has been asked by the respondents. In the reply, the respondents in paras 7 and 8 have submitted that, though the applicant had said "Yes", her having caste validity certificate in the form, at the time of document verification, it was found that the applicant was not possessing the caste validity certificate, which was violation of condition of advertisement and in view of that, the respondents declared the applicant as ineligible candidate as per para 8 (vi) and (xi) of the advertisement.

4. In view of these facts, we do not find any reason to interfere with the decision of the respondents and hence, we proceed to pass the following order:-

**ORDER**

The O.A. is dismissed with no order as to costs.

(A.D.Karanjkar)  
Member (J)

(Shree Bhagwan)  
Member (A)

Dt. 4.4.2019.

pdg