

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION No. 642/2017 (S.B.)

Manoj S/o Wasudeorao Khobragade,
Aged about 44 years, Occ. Service,
R/o Plot No.63, near Divisional Sports Complex,
Jaihind Nagar, Mankapur, Nagpur.

Applicant.

Versus

- 1) State of Maharashtra,
through its Principal Secretary,
Higher and Technical Education and Employment
Department, Mantralaya, Extension Building,
Mantralaya, Mumbai-32.
- 2) Director of Technical Education,
Maharashtra State,3, Mahapalika Marg,
Mumbai-400 001.
- 3) Joint Director of Technical Education,
C/o Government Polytechnic Campus,
Sadar, Mangalwari area, Nagpur-440 001.
- 4) Principal,
Government Institute of Hotel Management and Catering
Technology, Nagpur C/o Government Polytechnic
Campus, Mangalwari Bazar, Sadar, Nagpur-440 001.

Respondents.

Shri N.D. Thombre, Advocate for the applicant.

Shri M.I. Khan, P.O. for the respondents.

**Coram :- Hon'ble Shri Shree Bhagwan,
Vice-Chairman.**

Date of Reserving for Judgment : 28th November, 2019.

Date of Pronouncement of Judgment : 2nd January, 2020.

JUDGMENT

(Delivered on this 2nd day of January,2020)

Heard N.D. Thombre, Id. Counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

2. As submitted by the learned counsel for the applicant, the applicant was selected through Regional Selection Board, Nagpur for the post of Laboratory Assistant and was appointed by the respondent no.3 by order dated 31/12/1994 in the pay scale of Rs.950-1500/- (A-1,P-29). The applicant was posted at Government Institute of Hotel Management and Catering Technology, Nagpur on the said post since 06/01/1995.

3. The applicant was appointed with the respondent no.4 and the Government Institute of Hotel Management and Catering Technology was establishment at Nagpur during the year 1994-1995 vide G.R. dated 09/08/1994 (A-2,P-40). By this G.R. various posts were sanctioned for running the said institute right from Principal to Peon. In the said G.R. the post of the applicant was also shown at Sr.No.10 and the pay scale was shown against his post according to this G.R. was Rs.950-1500/-.

4. The respondent nos.1 to 3 have filed reply dated 3/4/2018. As mentioned in the reply the said Institute was established by the Government vide G.R. dated 09/08/1994 which is at (Annex-A-2, P-40) and service conditions and pay scales were mentioned in the said G.R. After selection, the applicant joined on the post of Laboratory Assistant and he was well aware about pay scale as well as service conditions as per the said G.R. Since the G.R. 9/8/1994 (A-2,P-40) was specifically issued for running the said Institute. So it was in knowledge of the applicant that in what pay scale and on what service conditions he has applied, selected and joined. He had accepted those pay scales and conditions. Now it is not correct that the applicant should turn around and claim different pay scales.

5. In view of these facts, the O.A. has no substance. Hence, the following order –

ORDER

The O.A. stands dismissed. No order as to costs.

Dated :- 02/01/2020.

**(Shree Bhagwan)
Vice-Chairman.**

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I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble Vice-Chairman.

Judgment signed on : 02/01/2020.
and pronounced on

Uploaded on : 02/01/2020.

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