

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**

**ORIGINAL APPLICATION No.134/2019 (SB)**  
**With CIVIL APPLICATION No.162/2020**

- APPLICANTS:**
- 1) Girish S/o. Krushnarao Barahate,  
Aged about 54 years,  
R/o. Aakhada Ward, Pandharkawada,  
Distt- Yavatmal.
  - 2) Raju @ Rajendra S/o. Krushnaji  
Yewale,  
Aged about 53 years, R/o. Borgaon  
(Kadu), Post Akoli, Tq. Kelapur,  
Distt. Yavatmal.
  - 3) Purushottam S/o. Shamrao Ade,  
Aged about 47 years, R/o. Katali  
Borgaon, Post Shibla, Tq. Zari, Distt.  
Yavatmal.
  - 4) Bandu S/o. Daulat Jumnake,  
Aged about 47 years, R/o. Gopalpur,  
Post. Aakoli, Tq. Kelpur, Distt. Yavatmal.
  - 5) Shriram S/o. Ramrao Kodape,  
Aged about 51 years, R/o. Botoni,  
Aakoli, Tq. Zari, Distt. Yavatmal.
  - 6) Smt. Vibha Uttam Ghume,  
Aged about 58 years, R/o.  
Indiranagar, Pandharkawada, Tq. Kelpur, Distt.  
Yavatmal.
  - 7) Ku. Kamal Devaji Narnaam,  
Aged about 48 years, R/o.  
Ranapratap Ward, Pandharkawada, Tq.  
Kelpur, Distt. Yavatmal.
  - 8) Raju S/o. Sonerao Kumare, (dead)  
Through L.R's Mangla Wd/o Raju Kumare,  
Aged about 45 years, R/o. Katali  
Tq. Zari Jamni, Distt. Yavatmal.

- 9) Vasanta S/o. Aauku Kanake,  
Aged about 57 years, R/o. Gochalpur,  
Post Akoli, Tq. Kelapur,  
Distt. Yavatmal.
- 10) Ashok S/o. Murali Surpam,  
Aged about 43 years, R/o. Gopalpur,  
Post Akoli, Th- Kelapur,  
Distt. Yavatmal.
- 11) Raju S/o. Madhav Raut,  
Aged about 57 years, R/o. Post Akoli, Th-  
Kelapur, Distt. Yavatmal.
- 12) Tulshiram S/o. Letu More,  
Aged about 38 years, R/o. Kondi,  
Post Akoli, Th- Kelapur,  
Distt. Yavatmal.
- 13) Sau. Vimal Mahadev Kirme,  
Aged about 51 years, R/o./o. Latre Layout,  
Pandhrkawada,  
Distt. Yavatmal.
- 14) Madhav Shamrao Surpam,  
Aged about 58 years, R/o. Akoli Bk. Th-  
Kelapur, Distt. Yavatmal.
- 15) Kishor Punjaram Satramwar,  
Aged about 42 years, R/o. Indira Nagar,  
Pandhrkawada, Th- Kelapur, Distt. Yavatmal.
- 16) Gyanidas s/o Wasudeo Surpam,  
Aged about 50 years, R/o. Katli Borgao, Post-  
Shibla, Th- ZarJamni, Distt. Yavatmal.
- 17) Bhimrao Vasanta Chikram,  
Aged about 44 years, R/o. Tok Bandhari Post-  
Akoli Bk. Th- Kelapur, Distt. Yavatmal.
- 18) Dattu Letu Tekam,  
Aged about 51 years, R/o. Netaji Pod Post-  
Mangurda, Th- Kelapur, Distt. Yavatmal.

- 19) HaridasMarotiAtram, R/o Palgaon  
Botony, Post- Shibla, Th- ZariZamni, Distt-  
Yavatmal.
- 20) Pochiram Potu Tekam.  
Aged about 52 years,R/o.Shivnala Pod, Post  
Bhamurda,Th- Kelapur, Distt. Yavatmal.
- 21) FakuLalu More,  
Aged about 57 years,R/o.Kondi, Post  
AkoliBk.Th- Kelapur,  
Distt.Yavatmal.

**//VERSUS//**

- RESPONDENTS:**
- 1) The State of Maharashtra,  
Through its Secretary,  
Department of Revenue&Forest,Mantralaya,  
Mumbai –32.
  - 2) Principal Chief Conservator  
Forest (Administration), “Van  
Bhawan” Ramgiri Road, Civil Lines,  
Nagpur-440001.
  - 3) Chief Conservator of Forest,  
(Regional),  
Office at Ambedkar Bhavan,  
Yavatmal-445001.

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**Shri N.R. Saboo, Smt. K.N. Saboo, Advocates for the applicants.  
Shri S.A. Sainis, learned P.O. for respondents**

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**WITH**

**ORIGINAL APPLICATION No.135/2019 (SB)****With CIVIL APPLICATION No.171/2020**

- APPLICANTS:**
1. Ramnath Madhav Dhurve,,  
Aged about 30 years, R/o. MowadaTq.  
Ghatanji, Distt. Yavatmal.
  2. Kishor Ramji Atram,  
Aged about 39 years, R/o. PatpangraTq.  
Ghatanji, Distt. Yavatmal.
  3. Abhay Bandu Kondawar,  
Aged about 20 years, R/o. MendholiWanii,  
Distt. Yavatmal.

**VERSUS**

- RESPONDENTS:**
1. The State of Maharashtra,  
Through its Secretary,  
Department of Revenue&Forest,Mantralaya,  
Mumbai –32.
  2. Principal Chief Conservator  
Forest (Administration), “Van  
Bhawan” Ramgiri Road, Civil Lines,  
Nagpur-440001.
  3. Chief Conservator of Forest,  
(Regional),  
Office at Ambedkar Bhavan,  
Yavatmal-445001.

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**Shri N.R. Saboo, Smt. K.N. Saboo, Advocates for the applicantS.  
Shri S.A. Sainis, learned P.O. for respondents**

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**WITH**

**ORIGINAL APPLICATION No.136/2019 (SB)****With CIVIL APPLICATION No.172/2020**

- APPLICANTS:**
1. Syd. Babbu Syd Yusuf,  
Ages 49, r/o Bahadumi, Post Both, Th-  
Kelapur, Distt- Yavatmal.
  2. Balabhau Sudam Kamble  
Aged about 55 years,  
R/o. Sawrgaon, Post Wagara, Th- Ghatanji,  
Distt. Yavatmal.
  3. Datta Govind Kowe,  
Aged about 51 years,  
R/o. Kaleshwar, Post- Jamb,  
Tq. Ghatanji, Distt. Yavatmal.
  4. Vithoba Arjun Thakre  
Aged Major, R/O Patapangara ,Th- Ghatanji,  
Distt- Yavatmal.

**//VERSUS//**

- RESPONDENTS:**
- 1) The State of Maharashtra,  
Through its Secretary,  
Department of Revenue & Forest, Mantralaya,  
Mumbai –32.
  - 2) Principal Chief Conservator  
Forest (Administration), “Van  
Bhawan” Ramgiri Road, Civil Lines,  
Nagpur-440001.
  - 3) Chief Conservator of Forest,  
(Regional), Office at Ambedkar Bhavan,  
Yavatmal-445001.

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**Shri N.R. Saboo, Smt. K.N. Saboo, Advocates for the applicants.  
Shri S.A. Sainis, learned P.O. for respondents**

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**WITH**

**ORIGINAL APPLICATION No.137/2019 (SB)****With CIVIL APPLICATION No.173/2020**

- APPLICANTS:**
1. Vilas S/o. MadhukarLadhe,  
Aged about28 years,R/o.Mejada, Post Jamb,  
Tq. Ghatanji, Distt. Yavatmal.
  2. Kiran S/o. Ashok Madavi,  
Aged about 23 years, R/o. Kaleshwar, Post  
Jamb, Tq. Ghatanji, Distt. Yavatmal.
  3. Suresh S/o. Baliram Kulsange,  
Aged about 30 years, R/o. Kurli, Tq. Ghatanji,  
Distt. Yavatmal.
  4. Yashwant S/o. Ganpat Dhurve,  
Aged about 36 years, R/o. Tadsawali, Tq.  
Ghatanji, Distt. Yavatmal.
  5. Umesh S/o. Narayan Bhojar,  
Aged about 28 years, R/o. Sharad, Post  
Waghara, Tq. Ghatanji, Distt. Yavatmal.
  6. Maya Wd/o. Raju Talmale,  
Aged about 45 years, R/o. Madkona, Tq.  
&Distt.Yavatmal.
  7. Paramjeet S/o. Subhash Surpaam,  
Aged about 18 years, R/o. Mejada, Post Jamb,  
Tq. Ghatanji, Distt. Yavatmal.

**VERSUS**

- RESPONDENTS:**1. The State of Maharashtra,  
Through its Secretary,  
Department of Revenue&Forest,Mantralaya,  
Mumbai –32.

2. Principal Chief Conservator  
Forest (Administration), "Van  
Bhawan" Ramgiri Road, Civil Lines,  
Nagpur-440001.
3. Chief Conservator of Forest,  
(Regional),  
Office at Ambedkar Bhavan,  
Yavatmal-445001.

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**Shri N.R. Saboo, Smt. K.N. Saboo, Advocates for the applicants.  
Shri S.A. Sainis, learned P.O. for respondents**

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**Coram :- Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

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**Date of Reserving for Judgment : 16<sup>th</sup> June,2022.**

**Date of Pronouncement of Judgment : 7<sup>th</sup> July,2022.**

**JUDGMENT**

**(Delivered on this 7<sup>th</sup> day of July, 2022)**

Heard Shri N.R. Saboo, learned counsel for the applicants  
and Shri S.A. Sainis, learned P.O. for the respondents.

2. All these O.As. are filed by the Van Majoor / legal heirs  
of Van Majoor claiming their regular appointments as per the G.R.  
dated 16/10/2012. It is submitted that the applicants are working  
more than 26 years in the Forest Department as a daily employee /  
Van Majoor. The respondent Chief Conservator of Forest had  
forwarded the information vide communication dated 5/10/2004 giving  
details of the working days of the applicants. All the applicants are

entitled for regularisation as per G.R. dated 16/10/2012. Some of the similarly situated Van Majors are already regularised, but applicants are not regularised. Hence, they have prayed direction to the respondents to regularise them as per the G.R. dated 16/10/2012.

3. The affidavits-in-reply are filed in all the O.As. It is contended by the respondents that all the applicants are not entitled to get the benefit of G.R. dated 16/10/2012, because, they have not fulfilled the condition of the G.R. As per the G.R., daily wagers / Van Majors who were working in the Forest Department for a period continuously of five years and 240 days in each year, then they are entitled for regularisation. As per the G.R. dated 16/10/2012, daily wagers / Van Majors who were working in the Forest Department on Employment Guarantee Scheme (in short "EGS") are not entitled for regularisation. The lists of the applicants were wrongly submitted. It was corrected. It is found that all the applicants were working on Employment Guarantee Scheme (EGS), therefore, they are not entitled for regularisation as per the G.R. 16/10/2012.

4. Heard learned counsel for the applicants Shri N.R. Saboo. He has pointed out the Judgment of this Tribunal in O.A. 290/2013. The learned counsel has submitted that some of the similarly situated employees / Van Majors are regularised as per the direction of this Tribunal.



5. It is submitted by the side of respondents that in the reply itself stated that those Van Majoor / applicants are regularised, because, they had filed Contempt Petition.

6. The learned P.O. has pointed out para-17 of the Judgement in O.A. 290/2013 and submitted that in the case of **Maharashtra Rajya Van Karmachari and Mazoor Sanghatana, Nagpur & Ors. Vs. State of Maharashtra & Ors., delivered on 14/02/2017** directions were given to the respondents to act in accordance with the G.R. and to re-consider the cases of the applicants for regularisation as Forest labours.

7. Nothing is pointed out to show that whether the Judgment in O.A. 614/2013 is challenged before the High Court or not. The para-13 of the Judgment in O.A. 306/2014 & ors., shows that directions were given to the respondents to submit the documents. It is clear from the observations in para-16 that the Chief Conservator of Forests had not submitted with a concrete evidence in support of his objection. He himself could not trace out the documents as regards the status of the applicants as to whether the applicants worked under the EGS or whether in any other scheme. There was no dispute that all the applicants have worked since more than 22-23 years in the Forest Department, therefore, it was held that there was no reason to deny them the benefit of G.R. dated 16/10/2012.

8. The documents i.e. the list prepared by the respondents filed by the applicants at page nos. 20-21 clearly shows that the applicants were working on EGS. The contention of the respondents that the applicants were working under EGS and therefore they are not entitled for benefit of G.R. dated 16/10/2012.

9. Either party not produced any document to show the exact position / working of the applicants. The respondents have not produced any document to show that applicants were working on EGS except some correspondence made to the Superiors. In such situation, it is not clear as to whether the applicants are entitled for regularisation or not. It is for the respondents department to verify each and every case of the applicants and decide as to whether they are entitled for the benefit of G.R. dated 16/10/2012.

10. In that view of the matter, the following order is passed –

**ORDER**

- (i) The O.As. are partly allowed.
- (ii) The respondents are directed to consider the cases of all the applicants / legal heirs carefully and decide as to whether they are entitled for regularisation as per G.R. dated 16/10/2012.
- (iii) C.As. are also disposed off.
- (iv) No order as to costs.

**Dated** :- 07/07/2022.

dnk.

**(Justice M.G. Giratkar)**  
**Vice Chairman.**

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.

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Judgment signed on : 07/07/2022.

Uploaded on : 07/07/2022.

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