

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION No. 500/2022 (D.B.)

Anil S/o Kashiram Rudey,
Aged 48 years, Occ. Service as a Primary Graduate Teacher,
Working at Zilla Parishad Primary School, Dhawanda,
Tq. Manora, Dist. Washim,
R/o "Akanshanagar", Digras,
Tq. Digras, Dist. Yeotmal,
M.No.9922092134,
Email ID:anilrudey9922@gmail.com

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
School Education and Sports Department,
Mantralaya, Mumbai-32.
- 2) The Secretary,
The Maharashtra Public Service Commission,
Mumbai-400 001.

Respondents.

With

ORIGINAL APPLICATION No. 501/2022 (D.B.)

Vijay S/o Hirasingsh Rathod,
Aged 40 years, Occ. Service as a Assistant Teacher,
Working at Zilla Parishad, Higher Primary School, Patgowari,
Tq. Ramtek, Dist. Nagpur,
M.No.9422233647,
Email ID:vijayrathod3114@gmail.com

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
School Education and Sports Department,
Mantralaya, Mumbai-32.
- 2) The Secretary,
The Maharashtra Public Service Commission,
Mumbai-400 001.

Respondents.

Shri K.B.Bhise, Id. Advocate for the applicants.

Shri A.M.Khadatkar, Id. P.O. for respondents.

**Coram :- Shri Shree Bhagwan, Vice-Chairman and
Shri Justice M.G. Giratkar, Member (J).**

Date of Reserving for Judgment : 05th May, 2022.

Date of Pronouncement of Judgment : 06th May, 2022.

JUDGMENT

Per : Member (J).

(Delivered on this 06th day of May, 2022)

Heard Shri K.B.Bhise, learned counsel for the applicants and
Shri A.M.Khadatkar, learned P.O. for the respondents.

2. The Id. counsel for the applicants have submitted that the applicants are Primary Teachers in a independent cadre having equal qualification to that off Assistant Teachers working in M.E.S. Cadre Group and District Technical Service (D.T.S.) cadre, therefore, the applicants are entitled to call for Interview having secured more marks than the last candidate who were called for Interview, therefore prayed to direct the respondents to call the applicants for Interview.

3. The Id. counsel for the applicants has pointed out the order passed by M.A.T., Principal Bench, Mumbai in O.A. No. 405/2022. The Id. counsel for the applicants has submitted that the applicants are of different group and they have not secured 150 marks; hence they are

entitled to call for Interview. The Id. P.O. has pointed out letter issued by Deputy Secretary, M.P.S.C., Mumbai dated 04.05.2022. The Id. counsel for the applicants had submitted that the applicants have not secured 150 marks. The cut-off marks is 150 and, therefore, they are not called for Interview. Hence, the O.A. is liable to be dismissed.

4. The order passed by Principal Bench, M.A.T., Mumbai is very clear and in para no. 4 it is specifically mentioned which is reproduced below:-

“Learned counsel for the applicant submits that the applicant appeared in the said examination and secured 134 marks. Learned counsel for the applicant further submits that for D.T.S. cadre the cut-off marks is 150 and for M.E.S. cadre the cut-off marks is 74. The applicant does not fall in either of the category.”

5. The applicants have not secured cut-off marks of 150 as per letter issued by Deputy Secretary, M.P.S.C., Mumbai, therefore, they are not called for Interview. By O.A. No. 405/2022 order dated 04/05/2022; it appears that the applicants in that matters whereof different groups i.e. D.T.S. and M.E.S.. The cut-off marks for D.T.S. cadre was 150 marks and cut-off marks for M.E.S. cadre is 74 marks. In view of the letter dated 04.05.2022, the applicants have not secured the cut-off marks, and,

therefore, they are not called for Interview. At this stage, we do not find any illegality on the part of the respondents. Hence, the order:-

ORDER

A. Both the O.As. stands dismissed.

B. No order as to costs.

(Justice M.G. Giratkar)
Member(J).

(Shree Bhagwan)
Vice-Chairman.

Dated :- 06/05/2022.

APS

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

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble V.C. and Member (J).

Judgment signed on : 06/05/2022.

Uploaded on : 06/05/2022