

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

ORIGINAL APPLICATION NO.04 OF 2018

**DISTRICT : PUNE
SUB : Dept. Exam/Promotion**

- 1) Shri Sampat Mahadeo Jadhav,)
Age : about 57 years, Occ : Service,)
Working as A.S.I. (ASI 4951),)
Examination Roll No.30311,)
R/o. S.No.45, 4B, Chandanagar,)
Pune 411 014.)
- 2) Shri Raju Karbhari Mache,)
Age : about 44 years, Occ : Service,)
Working as Head Constable (HC 1746),)
Examination Roll No.31247,)
R/o. 172 Old Police Line, Shivajinagar)
Pune 411 005.)
- 3) Sou. Seema Sharad Khadale,)
Age : about 43 years, Occ : Service,)
Working as Head Constable (HC 5172),)
R/o. 2/23, Bodygate Police Line,)
Bramen Chowk, Aundh, Pune 411 007.)
- 4) Shri Gopal Harishchandra Pawar,)
Age : about 44 years, Occ : Service,)
Working as Head Constable (HC 2291),)
Examination Roll No.30141,)
R/o. Gokhale Nagar Pilice Line,)
Pune 411 016.)
- 5) Shri Anil Ramdas Shelar,)
Age : about 41 years, Occ : Service,)
Working as Head Constable (HC 5566),)
Examination Roll No.30603,)
R/o. Near Santoshi Mata Mandir,)
Tingrenagar, Dhanori, Pune.)
- 6) Sou. Harshada Arvind Shinde,)
Age : about 39 years, Occ : Service,)
Working as Head Constable (HC 5166),)

- Examination Roll No.30959,)
R/o. Vishrantwadi Police Line,)
B/9, Flat No.3, Pune 411 006.)
- 7) Shri Vilas Eknath Bhate,)
Age : about 38 years, Occ : Service,)
Working as Police Naik (PN 2284),)
Examination Roll No.30971,)
R/o. Shivaji Nagar Police Colony,)
Room No.340, Pune 411 005.)
- 8) Shri Anil Pandurang Usulkar,)
Age : about 50 years, Occ : Service,)
Working as Head Constable (HC 2048),)
Examination Roll No.30308,)
R/o. Vishrantwadi, Police Line,)
B-3/14, Pune.)
- 9) Shri Kailas Bansilal Labade,)
Age : about 42 years, Occ : Service,)
Working as Head Constable (HC 1777),)
Examination Roll No.33383,)
R/o. A/17, Shri Hight, Kumbharwada,)
Old Sangavi, Pune 411 027.)
- 10) Shri Shakir Goumouiddin Jinedi,)
Age : about 48 years, Occ : Service,)
Working as Head Constable (HC 2368))
Examination Roll No.30258,)
R/o. Flat No.102, Swojas Paradise,)
Baner Residency, Baner Road Sakal Nagar,)
Aundh, Pune 7.)
- 11) Shri Dattatraya Gyanoba Gaikwad,)
Age : about 42 years, Occ : Service,)
Working as Head Constable (HC 974))
Examination Roll No.30811,)
R/o. S. No.28, Tanisq Colony Vishal Nagar,)
Jagtap Dairy Pimple Nilakh, Pune.)
- 12) Shri Ramesh Sitaram Gbode,)
Age : about 48 years, Occ : Service,)
Working as A.S.I. (A.S.I. 2731),)

- Examination Roll No.30078,)
R/o. C/19, Narsinha Residency,)
New Sangvi, Pune 411 027.)
- 13) Shri Dinesh Vitthal Shinde,)
Age : about 45 years, Occ : Service,)
Working as Head Constable (HC 1781),)
Examination Roll No.30509,)
R/o. 7/452, Swargate Police Line,)
Pune City, Pune 411 042.)
- 14) Shri Shantavan Mahadu Salve,)
Age : about 51 years, Occ : Service,)
Working as Head Constable (HC 5341),)
R/o. 469/51, Patharkar Chawl,)
Khadki, Pune 411 003. (R.No.30849))
- 15) Shri Shrirang Manik Shinde,)
Age : about 41 years, Occ : Service,)
Working as Police Naik (PN 308),)
Examination Roll No.33348,)
R/o. Flat No.17, Sadguru Housing Soc.)
Tal. Baramati, Dist. Pune.)
- 16) Shri Sambhaji Jagannath Tambe,)
Age : about 51 years, Occ : Service,)
Working as Head Constable (HC 4976),)
Examination Roll No.30309,)
R/o. Sr. No.253/1, Khese Park,)
Lohagaon, Pune.)
- 17) Shri Amar Dinkar Shirsagar,)
Age : about 47 years, Occ : Service,)
Working as Head Constable (HC 5360),)
R/o. Vishrantwadi Polie Line B/4/3,)
Pune.)
- 18) Shri Bhivsen Hanuwant Sandbhor,)
Age : about 54 years, Occ : Service,)
Working as ASI,)
Examination Roll No.30287,)
R/o. Sector No.4, Plot No.61,)
Santanagar, Moshi, Pradhikaran, Pune.)

- 19) Shri Hanumant Gopinath Pasalkar,)
Age : about 43 years, Occ : Service,)
Working as Head Constable (HC 793),)
Examination Roll No.33438,)
R/No.1202, Shivaji Nagar, Shirole Road,)
Pune 411 04)
- 20) Shri Sandeep Dattaray Ghare,)
Age : about 44 years, Occ : Service,)
Working as Head Constable (HC 953),)
Examination Roll No.33327,)
R/o. Mulanagar, Old Sangavi, Pune.)
- 21) Shri Abdul Karim Husain Sayyad,)
Age : about 50 years, Occ : Service,)
Working as Head Constable (HC 4683),)
Examination Roll No.33786,)
R/o. Plot No.14, Chandanagar,)
Pune 411 014.)
- 22) Shri Pradeep Dhondiba Kudale,)
Age : about 45 years, Occ : Service,)
Working as Police Naik (PN 370),)
Examination Roll No.33447,)
R/o. Taradatta Park, Ram Heights,)
B 1/A, Saswad, Tal : Purandar,)
Dist. Pune.)
- 23) Shri Rajesh Kanchan Gosavi,)
Age : about 47 years, Occ : Service,)
Working as Head Constable (HC 5388),)
Examination Roll No.30642,)
R/o. 37/4, Dattaprasad Building,)
House No.358/20, Shrinagar.)
- 24) Shri Ganesh Ashok Jagtap,)
Age : about 44 years, Occ : Service,)
Working as Head Constable (HC2010),)
Examination Roll No.31147,)
R/o. Jay Ganesh Buglow,)
S.No.28/4, Near Suyog Sankul,)
Wakad, Pune.)

- 25) Shri Santosh Pandurang Mane,)
 Age : about 40 years, Occ : Service,)
 Working as Head Constable (HC 584),)
 Examination Roll No.33302,)
 R/o. Chavan Nagar Police Line,)
 Building No.8, Room No.6,)
 Pasan Road, Pune.)
- 26) Shri Sanjay Sheshrao Mante,)
 Age : about 45 years, Occ : Service,)
 Working as Head Constable (HC 1521),)
 Examination Roll No.71035,)
 R/o. Niwas Sthan No.163,)
 Pandri Police Vasahat Chikhali Road,)
 Buldhana.)
- 27) Shri Pramod Laxmanrao Mante)
 Age : about 45 years, Occ : Service,)
 Working as Head Constable (HC 564),)
 Examination Roll No.70692,)
 R/o. Room No.178 (Near Devi), S.F. Police Line,)
 Chikhali Road, Buldhana.)
- 28) Shri Atul Vasudevrao Ingle,)
 Age : about 36 years, Occ : Service,)
 Working as Police Naik (PN 243),)
 Examination Roll No.72023,)
 R/o. 45 Amit Venkateshwara Nagar,)
 Behind Arunoday Society, Bhosa Road,)
 Yewatmal, Tal & Dist. Yewatmal.)
- 29) Shri Madhukar Rangnathrao More,)
 Age : about 47 years, Occ : Service,)
 Working as Head Constable (HC 929),)
 Examination Roll No.51742,)
 R/o. Plot No.90, Sant Tukoba Nagar,)
 N2, CIDCO, Aurangabad.)
- 30) Shri Pralhad Ramrao Padaghan,)
 Age : about 45 years, Occ : Service,)
 Working as Head Constable (HC 411),)
 Examination Roll No.70804,)

- R/o. Shrinivas, Shivshankar Nagar,)
 Chikhali Road, Buldhana, Behind)
 Oswal Steel, Buldhana,)
- 31) Shri Suresh Bhagwan Mane,)
 Age : about 40 years, Occ : Service,)
 Working as Head Constable (HC 2182))
 Examination Roll No.20285,)
 R/o. Tejashree Apt. A Wing,)
 Room No.9/11, Adarsh Nagar, Chendre,)
 Alibaug, Tal. Alibaug, Dist. Raigad.)
- 32) Shri Sanjay Damodar Shirsath,)
 Age : about 45 years, Occ. Service,)
 Working as Police Hawaldar (SB2031),)
 Examination Roll No.31148,)
 R/o. 104/36, Shivaji Nagar Police,)
 Vasahat, Pune 411 001.)
- 33) Shri Vilas Naraharao Kulkarni,)
 Age : 56 years, Occ : Service,)
 Working as Police Hawaldar (HC 1452),)
 Examination Roll No.51704,)
 R/o. Gurvadan App. No.6, Ulka Nagari,)
 Gorkheda Parisar, Aurangabad 431 001.)..**APPLICANTS.**

VERSUS

- 1) The Government of Maharashtra,)
 Through Secretary, Home Department,)
 Mantralaya, Mumbai 411 032.)
- 2) The Director General of Police,)
 Maharashtra State, Shahid Bhagatsingh Marg,)
 Colaba, Mumbai 411 001.)
- 3) The Police Commissioner,)
 Pune 411 001.)
- 4) Sunil Anandrao Ghopal,)
 Age : 57 years, Occ. Service,)
 R/at. Mandvi Police Line,)
 Room No.25, Mohammed Ali Road,)
 Mumbai 400 063.)

- 5) Rajendra Sakharam Karade,)
 Age : 44. Occ. Service,)
 R/at. 'C' Breeze Apartment, Grd. Flr.)
 Gaurav Nagar, Vidyanagar,)
 Alibag – Raigad -402 201.)
- 6) Ranjit Yashwant Jadhav,)
 Age : 51, Occ. Service,)
 R/at. Nityachandra Darshan Apt.,)
 Nagothane, Room No.202, Nagthane,)
 Tal- Roha, Raigad – 402 106.)
- 7) Ravindra Ramchandra Narvekar,)
 Age : 57, Occ : Service,)
 R/at. Navin Police Line,)
 Second Floor, Room No.14,)
 Kalachowki, Mumbai 400 033)
- 8) Dnyanoba Vyankatrao Kendre,)
 Age : 56, Occ : Service,)
 R/at. Varli Police Camp,)
 Bldg. No.22, Room no.4,)
 Sarpoch Khanvala Road,)
 Mumbai 400 030.)
- 9) Hanumant Appa Dhawale,)
 Age : 57, Occ : Service,)
 R/at. D/301, Yash Paradise, Sector – 8A,)
 Airoli, Navi Mumbai 400 708.)
- 10) Anil Mahadeo Tawade,)
 Age : 57, Occ : Service,)
 R/at. B/226, Room No.8850,)
 Kannamwar Nagar No.1, Police Line,)
 Vikhroli (E), Mumbai 400 083)
- 11) Bhagwan Dinkar Pawar,)
 Age : 57, Occ : Service,)
 R/at. C/4/105, Police Camp,)
 Marol, Andheri (E), Mumbai 400 059.)
- 12) Shivaji Govind Parkar,)
 Age : 57, Occ. Service,)
 Sharmik Niwas, Room No.516,)
 Subhanrao Nalawade Marg,)
 Lalbaug, Mumbai 400 012.)

- 13) Dinkar Pilaji Wagh,)
 Age : 57, Occ : Service,)
 R/at. New Police Line, Tadave, Building No.5,)
 Room No.41, Mumbai 400 034.)
- 14) Vilas Tukaram Lakde,)
 Age : 58, Occ : Service,)
 R/at. 1/139, Wahtuk Nagar,)
 Amboli – Sigar Road, Andheri (W),)
 Mumbai 400 061.)
- 15) Shantaram Bhimrao Pawar,)
 Age : 57, Occ : Service,)
 R/at. Kandiwali Police Line, Type – 1,)
 Building No.4, Room No.16,)
 3rd Floor, S.V. Road, Kandiwali (W),)
 Mumbai 400 067)
- 16) Prakash Chimaji Nalawade,)
 Age 57, Occ : Service,)
 R/at. G/02, Gokul Horizon Jiwala Pado Rd.)
 Thakur Village, Kandiwali (E),)
 Mumbai 400 101.)
- 17) Kundlik Takyaba Godse,)
 Age : 57, Occ : Service,)
 R/at. Jos Nagar, Room No.150,)
 Mohili Village, Sakinama, Mumbai 72.)
- 18) Prakash Maruti Todkar,)
 Age : 57, Occ : Service,)
 R/at. Type 1, Bldg, No.01,)
 Room No.11, Kandivli Police Line,)
 Kandivli (West), Mumbai 400 067.)
- 19) Tanaji Maruti Lawand,)
 Age : 57 years, Occ : Service,)
 R/at. Pariwar Society C/A/701,)
 Kanjur Marg (E), Mumbai 400 042.)
- 20) Prabhakar Ramchandra Kadam,)
 Age : 56, Occ : Service,)
 R/at. 13/102, Unnat Nagar No.4,)
 M.G. Road, Behind Jain Derasal,)
 Goregaon (W), Mumbai 400 062)
- 21) Tulsiram Krishna Mhaske,)
 Age : 56, Occ. Service,)
 R/at. Takiward Hasan Astekar Chawl No.72/10.)

- S.M. Marg, Kurla (E), Mumbai 400 070.)
- 22) Rajaram Vishwanath Thigale,)
 Age : 57, Occ. Service,)
 R/at. Flat No.01, Plot No.131,)
 Tapasya Co-op. Hsg. Soc.,)
 Near MSEB, Sector, 19(A), Kopar Khairane,)
 Navi Mumbai, Thane 400 709.)
- 23) Jalindar Shankar Chafle,)
 Age : 56, Occ. Service,)
 R/at. 62/613, MHB Colony, Dindoshi Nagar,)
 Near Ganesh Mandir, Malad (E),)
 Mumbai 400 097.)
- 24) Raghunath Mahadu Sangale,)
 Age : 58, Occ. Service,)
 R/at. B-4/18, Daxta Police Society,)
 Ramabai Nagar, Ghatkopar (E),)
 Mumbai 400 075.)
- 25) Mohan Tukaram Bhosale,)
 Age : 58, Occ. Service.)
 R/at. Bldg. No.143/4848,)
 Nehru Nagar, Kurla (E),)
 Mumbai 400 024.)
- 26) Dilip Dattatray Shinde,)
 Age : 56, Occ : Service,)
 R/at. 70/2083, Pantnagar Police Quarters,)
 Ghatkopar (E), Mumbai 400 075.)
- 27) Uttam Nivrutti Katkar,)
 Age : 57, Occ : Service,)
 R/at. B/226, Room No.8843,)
 2nd floor, Kannamwar Nagar No.1,)
 Vikhroli (E), Mumbai 400 083.)
- 28) Ramdas Dhondiram Deshmukh,)
 Age 57, Occ. Service,)
 R/at. Naigaon New BDD Chawl No.3/25,)
 D.B. Marg, Naigaon Dadar, Mumbai 400 014.)
- 29) Gorakh Sarjerao Yadav,)
 Age : 58 , Occ. Service,)
 R/at. 3/304, 'C' Wing, Ashar 16,)
 Road No.16, Wagle Estate, Thane 400 604.)
- 30) Dinesh Ramdas Pednekar,)

- Age : 58, Occ : Service,)
R/at. New Tardeo Police Line,)
Bldg. No.4A/28, 2nd floor, Tardeo Road,)
Mumbai 400 034.)
- 31) Gajanan Laxman Sanas,)
Age: 27, Occ : Service,)
R/at. 9/69, Naigaon Police Head Quarters,)
3rd floor, B.J. Deorukhkar Road,)
Naigaon, Mumbai 400 014.)
- 32) Shri Babasaheb Vishnu Waghmode,)
Age : 56, Occ. Service,)
R/at. Trimurti C.H.S. Building, Bldg. No.1,)
‘C’ Wing, 4th floor, Mankhurd 400 088.)
- 33) Pundlik Bhiva Arjun)
Age : 57, Occ. Service,)
R/at. Room No.C53/02, Vaibhav C.H.S.,)
Sector 24, Juinagar, Navi Mumbai 400 507.)
- 34) Maruti Balu Jagdale,)
Age : 57, Occ. Service,)
R/at. C-102, Gokul Park, Wasundri Road,)
Manda Gaon, Titwala (W),)
Tal. Kalyan, Dist. Thane.)
- 35) Anil Devaji Kadam,)
Age : 57, Occ. Service,)
R/at. 304, Shri Sai CHS,)
Sector -18, Plot No.79,)
Kopar Khairane, Navi Mumbai.)
- 36) Bajirao Shantaram Raorane,)
Age : 57, Occ. Service,)
R/at. 16/43, BIT Chawl, K.K. Marg,)
Mumbai Central, Mumbai 400 008.)
- 37) Jagannath Anandrao Jadhav,)
Age : 57, Occ. Service,)
R/at. New TR Bldg, Room No.211, 2nd floor,)
Dattapada Road, Near FCI Gate, BMC School,)
Borivali (E), Mumbai 400 066.)
- 38) Arun Eknath Dhumal,)
Age : 57, Occ. Service,)
R/at. A/47, Kurla Police Line,)
Near Bhabha Hospital, Kurla (W),)
Mumbai 400 070.)

- 39) Sukhdeo Ramchandra Gawade,)
 Age : 57, Occ. Service,)
 R/at. A/402, Krishna Bldg.,)
 Kasigam, Mira Road (E) 401 104.)
- 40) Sadashiv Jagannath Patil,)
 Age : 56, Occ. Service,)
 R/at. Triveni Sadan, Mahadeo Palav Marg,)
 Curry Road (E), Mumbai 400 012.)
- 41) Jalindar Bhagojee Palve,)
 Age : 56, Occ. Service,)
 R/at. Shiv Samarth CHS, A/410,)
 Mhada Colony, Dahisar East,)
 Mumbai 400 068.)
- 42) Santosh Arshuram Jamdade,)
 Age : 57, Occu. Service,)
 R/at. Mohan High Land, Bld 7/302,)
 Badlapur East, Thane,.)
- 43) Anand Bhiku Jagdale,)
 Age : 56, Occu. Service,)
 R/at. New Ayare Road, Saibaba Palace Bldg.,)
 First Floor, Room No.104, Dombivali East,)
 Thane.)
- 44) Lavkumar Shamrao Shitole,)
 Age : 57, Occu. Service,)
 R/at. Bhendi Bazar Police Line,)
 Gr. Floor, R. No.19, Imamwada Road,)
 Dongri, Mumbai 400 009.)
- 45) Bhagwan Nanarao Misal,)
 Age : 57, Occ. Service,)
 R/at. Shri Chantamani Co-op. Hsg. Soc.,)
 Plot No.D/118/205, Sector 20,)
 Nerul west, Navi Mumbai.)
- 46) Sunil Arjun Pawar,)
 Age : 57, Occ. Service,)
 R/at. C/102, Gagangiri Co Op Hsg Soc.,)
 Janta Market, Bhandup West,)
 Mumbai 400 078.)
- 47) Ashok Ganapati Rade,)
 Age : 58, Occ. Service,)
 R/at. Chirag Nagar Police Line, G/503,)

- Near Ghatkopar Police Station,)
LBS Marg, Mumbai 400 083)
- 48) Ashok Namdeo Bhagat,)
Age : 58, Occ. Service,)
R/at. Dropadi Niwas, Sahakar Soc. Chawl No.2,)
Room No.37, Konkan Nagar, J.M. Road,)
Bhandup West, Mumbai 78.)
- 49) Antu Omkar Thorat,)
Age : 57 years, Occ. Service,)
R/at. Vanrai Police Colony,)
Bldg. No.3/341, Goregaon East,)
Mumbai 400 065.)
- 50) Ghanshyam Rawaji Parab,)
Age : 57, Occ. Service,)
R/at. Plot No.128, Room No.17,)
Sec-01, Charkop, Kandivali West, Mumbai.)
- 51) Ram Maruti Pawar,)
Age : 52, Occu. Service,)
R/at. Post- Pedali, Post Tivre,)
Tal- Sudhagad,Pali, Dist. Raigad.)
- 52) Sanjay Pandurang Hemande,)
Age : 45, Occ. Service,)
R/at. Gold Coast Soc., C-Wing,)
Room No.103, Shiv Nagar, Chendre,)
Alibaug, Raigad – 402 201)
- 53) Jitendra Tulsidas Vatve,)
Age : 49, Occ. Service,)
R/at. Vakadai Nagar, Uttekhhol,)
Tal : Mangaon, Raigad 402 104.)
- 54) Vilas Dhakuram Salvi,)
Age :55, Occ. Service,)
R/at. Fallani, At Post : Nandvi,)
Tal. Mangaon, Raigad 402 104.)
- 55) Kamlakar Rajaram Bharud,)
Age : Adult, Occ. Service,)
R/at. Near Pen Station Bus Stand,)
Krushna Kanchan Bldg.,)
Chinchpada, Pen-Raigad.)

- 56) Jalindar Dattu Pawar,)
 Age : 53, Occ. Service,)
 R/at. Uniq Shiv Sai apartment, Chinchpada,)
 C-wing, Room No.105, Pen-Raigad.)
- 57) Raysing Lalji Vasave,)
 Age : Adult, Occ. Service,)
 R/at. HOC Colony, type-II, Bldg. No.119,)
 Room No.3, Mohpada, Khalapur, Raigad.)
- 58) Sachin Damodar Nimkar,)
 Age : 39, Occu. Service,)
 R/at. Police HQ Alibaug, Bldg. no.A-3/17,)
 Alibaug, Raigad.)
- 59) Mohan Eknath Chormale,)
 Age : 51, Occ. Service,)
 R/at. RCF Kathrud Colony, Bldg. No.A-38,)
 Room No.1, Alibaug, Raigad.)
- 60) Rajendra Nivrutti Kadam,)
 Age : 56, Occ. Service,)
 R/at. 603, Ram Kutir, Ekvira Compound,)
 Nr. Shir Sena Shakha, Ghatkopar -)
 Mumbai 84.)
- 61) Suryarao Ganpati Patil,)
 Age : 57, Occ. Service,)
 R/at. 143/4869, Nehru Nagar,)
 Police Line, Kurla (E), Mumbai 400 024.)
- 62) Shankar Balu Nesarikar,)
 Age : 58, Occ. Service,)
 R/at. Om Shivam CHS, A/705,)
 7th floor, Dr. R.P. Road,)
 Mulund(w), Mumbai 400 080.)
- 63) Suresh Gopal Sakpal,)
 Age : 57, Occ. Service,)
 R/at. Ganga Sagar CHS, A/202,)
 Sector No.20, Kopar Khairne, New Mumbai.)
- 64) Devidas Rajaram Desai,)
 Age : 57, Occ. Service,)
 R/at. Bldg. no.92, Room No.3259,)
 Kurla (E), Mumbai 400 024.)

- 65) Uday Sukhagi Sawant,)
 Age : 57, Occ. Service,)
 R/at. 203/A, Pandurang Apt.,)
 A Wing, Balkup, Thane (W) 603)
- 66) Nandkishor Laxman Patil,)
 Age : 57, Occ. Service,)
 R/at. Worli Police Camp, Bldg. no.25,)
 Room No.12, Sir Pochkhanwada Road,)
 Worli, Mumbai 400 030.)
- 67) Dilip Gulabrao Lole,)
 Age : 57, Occ. Service,)
 R/at. Old BDD Chawl No.12A,)
 Room No.2, B.J. Devrukhkar Road,)
 Naigaon, Mumbai 400 014)
- 68) Popat Shidu Jadhav,)
 Age : 57, Occ. Service,)
 R/at. 21 Natkawala Police Line,)
 S.V. Road, Borivali (W), Mumbai 400 092)
- 69) Chandrakant Mahadeo Pawale,)
 Age : 56, Occu. Service,)
 R/at. K-208, Apeksha Complex,)
 Akurli, New Panvel, Matheran Road,)
 Dist. Raigad.)
- 70) Shashikant Ganpat Padwal,)
 Age : 57, Occ. Service,)
 R/at. New MHB Colony, Bldg. 'L',)
 Wing 'C', Room No.203,)
 Gorai Road, Near Sailee Hospital,)
 Borivali (W), Mumbai 400 091.)
- 71) Pramod Bapu Bagwe,)
 Age : 56, Occu. Service,)
 R/at. 340/17, Mangaldham Society,)
 Sector -3, Charkop, Kandiwali (W),)
 Mumbai 400 067.)
- 72) Harishchandra Devji Saitawadekar,)
 Age : 58, Occ. Service,)
 R/at. Mauli Apt., Flat No.304,)
 Plot No.D-22, Sector – 20, Nerul (W),)
 New Mumbai 400 706.)

- 73) Sanjay Maruti Gaikwad,)
 Age : 57, Occ. Service,)
 R/at. A/40, Sobat CHS, Shreenagar,)
 Wagle Estate, Thane 400 604.)
- 74) Suresh Pandurang Bhosle,)
 Age : 57, Occ. Service,)
 R/at. BIT No.92/3251,)
 Nehru Nagar, Kurla (E),)
 Mumbai 400 024.)
- 75) Narsing Dnyandeo Bhosale,)
 Age : 58, Occ. Service,)
 R/at. D5/53, Asmita Jyotii CHS. LTD,)
 Marve Road, Near Fir Brigade,)
 Malad (E), Mumbai 400 095.)
- 76) Manohar Nivrutti Ghadge,)
 Age : 58, Occ. Service,)
 R/at. 101, Shri Mahalaxmi CHS,)
 Plot No.24, Sector -44, Seewood, Nerul (W),)
 New Mumbai 400 706.)
- 77) Shivram Ramchandra Narale,)
 Age : 57, Occ. Service,)
 R/at. Sadguru Kripa Chawl, Room No.7,)
 X Road – 01, Opp. Thakur College,)
 Samta Nagar, Shing Estate, Kandiwali (E),)
 Mumbai 400 101.)
- 78) Anil Shivram Raorane,)
 Age : 57, Occ. Service,)
 R/at B/202, Worli Police Camp,)
 Sir Pochkhanwala Road,)
 Worli, Mumbai 400 030.)
- 79) Ramchandra Narayan Bhijbal,)
 Age 57, Occ. Service,)
 R/at. BIT 16/48, Belasis Road,)
 Mumbai Central, Mumbai 400 008.) **.RESPONDENTS**

Shri Arvind V. Bandiwadekar, learned Advocate with Shri C.T.
 Chandratre, learned Advocate for the Applicants.

Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents
 Nos.1 to 3.

Shri S.S. Dere, learned Advocate for the Respondents No.4 to 79 is absent.

CORAM : Shri A.P. Kurhekar, Hon'ble Member (J)
Shri Bijay Kumar, Hon'ble Member (A)

DATE : 22.02.2023

PER : A.P. Kurhekar, Member (J)

J U D G M E N T

1. The Applicants have filed this Original Applications with following prayer clauses :-

(a) The Hon. Tribunal be pleased to direct the Respondents to finalized the provisional list of successful candidates of the examination 2013 published on 15.06.2018 within the period of one month from the date of order this Hon. Tribunal and direct the Respondents to consider the present Applicants for promotion within further one month from the declaration of final list.

(b) The Hon. Tribunal be pleased to direct the Respondents to not to hold the departmental examination unless and until all successful candidates including the Applicants are promoted to the post of PSI from the promotional quota or otherwise.

(c) The Hon. Tribunal be pleased to hold and declared that the condition No.13 stated in the notification dated 02.07.2013 is arbitrary and therefore illegal. By further suitable order the Hon. Tribunal be pleased to quash and set aside the said condition.

(d) The Hon. Tribunal be pleased to direct the Respondents that in case of administrative exigencies the ad-hoc promotion to the post of PSI should be granted only from the list of successful candidates of the examination, 2013.

2. Heard Shri C.T. Chandratre and Shri A.V.Bandiwadekar, learned Counsels for the Applicants and MS S.P. Manchekar, learned Chief Presenting Officer for the Respondent Nos.1 to 3. Shri S.S. Dere, learned Counsel for the Respondent Nos.4 to 79 is absent.

3. The issue involved in present Original Applications pertains to Police Sub Inspector (Recruitment) Rules, 1995 and legality of Circular issued by the Respondent No.2 - Director General of Police dated 02.07.2013 whereby he inserted Clause No.13 stating that validity period of list of Police Personnel who passed limited departmental examination will be for 1 year only.

4. The Applicants are serving in the cadre of Police Constable, Head Constable etc. and desires for promotion to the post of PSI. Rule 3 of Police Sub Inspector (Recruitment) Rules, 1995 provides that appointment to the post of PSI in police force in the State of Maharashtra shall be made by promotion or selection through limited departmental examination. Rule 3(a) and (b) is here relevant which is as under:-

(a) by promotion of a suitable person on the basis of seniority subject to fitness from amongst the persons holding the posts of Havaldar and Assistant Police Sub-Inspector in the Police Force who have completed not less than five years continuous regular service or seven years broken service and who qualify in the departmental examination held by the Director General of Police in accordance with the rules laid down in paragraph 5 of the Government Resolution No.PSB.0390/CR-408/POL-5-A, dated 5th July, 1994.

OR

(b) by selection of persons working in the Police Force on the basis of the result of the limited departmental examination held by the Commission for appointment to the post of Sub-Inspector of Police for admission to which a candidate shall-

(i) not be more than thirty-five years of age :

Provided that, relaxation of age of five years may be granted to candidates of Backward Classes and -

"Provided also that, the candidates who were eligible to appear for the limited departmental examination after the 1st January, 1991 but who were not allowed to appear for the limited departmental examinations held in 1998 and 2002 on account of the age limit, shall be given three chances to appear for next consecutive examinations.

(ii) *have completed a minimum regular service as Police Constable with educational qualifications as mentioned below :-*

Minimum Regular Service Educational Qualification

- | | | | |
|-----|---------|----|---|
| (1) | 4 years | .. | Degree in any faculty |
| (2) | 5 years | .. | Passed the Higher Secondary School Certificate Examination. |
| (3) | 6 years | .. | Passed the Secondary School Certificate Examination. |

5. Whereas by Notification dated 29.06.2013, Rule 3(a) of Police Sub-Inspector (Recruitment) Rules, 1995 is amended as under:-

" (a) by promotion of a suitable person on the basis of seniority subject to fitness from amongst the persons holding the post of Police Constable or Police Naik or Police Havaldar or Assistant Police Sub-Inspector in the Police Force having not less than ten years continuous regular service from the date of appointment in the Police Force and who qualify in the departmental examination held by the Director General of Police as per the Examination Rules prescribed by the Government by special or general order, from time to time."

By aforesaid amendment the Police Constable, Police Naik are also included in the zone of consideration and minimum qualified service period is extended from 5 years to 10 years.

6. The Government by G.R. dated 21.04.2009 prescribed the mode and cut-off marks etc. for passing departmental examination to fill in 25% quota for promotion.

7. Rule 4 of the Police Sub Inspector (Recruitment) Rules, 1995 provides appointment to the post of Police Sub-Inspector by promotion, selection on the basis of limited departmental examination and nomination shall be made in the ratio of 25: 25 : 50.

8. The problem arises in view of Circular dated 02.07.2013 whereby Respondent No.2 - Director General of Police inserted Clause No.13 restricting the validity period of the list of 2013 examination for one year, which is as under

"(13) निःशस्त्र पोलीस उप निरीक्षक पदाच्या पदोन्नतीची विभागीय अर्हता परिक्षा -२०१३ परिक्षेच्या निकालाची यादी प्रसिध्द झाल्याच्या दिनांकापासून एक वर्षापर्यंत वैध राहिल."

9. The Applicants appeared in departmental examination in 2013 and passed examination. Out of them, few are promoted and some are retired. Their grievance is that once they qualified departmental examination restriction placed in Circular dated 02.07.2013 is illegal, arbitrary and unconstitutional. If the said condition is accepted, they will be required to appear in the examination again and again and exercise will be futile. Secondly, their grievance is that Respondent No.2 has not published result of 2013 examination showing necessary details and therefore, they are in dark and uncertain about their actual promotional chances.

10. Indisputably, in departmental examination of 2013 more than 28,000 police personnel participated and near about 19,000 police personnel cleared examination. On the other hand, promotional post of Police Sub-Inspectors are very limited and, therefore, the list of 2013 will take more than 30-40 years for its exhaustion. This is the reality as fairly conceded by learned Counsel for the Applicants as well as learned C.P.O. At the same time, learned C.P.O. fairly concedes that though there is Clause of restricting validity period of 1 year in Circular dated 02.07.2013, it is not acted upon in practice and promotions are being given on the basis of result of departmental examination of 2013 till date. Thus, learned C.P.O. fairly stated that even as on today, the list of 2013 is still in operation and being used for promotion of candidates as per their seniority list.

11. The main serious grievance of the Applicants is about restriction of 1 year validity period of list mentioned by Respondent No.2 in Circular dated 02.07.2013. Their grievance is definitely justified and acceptable. Notably, in Police Sub-Inspector (Recruitment) Rules, 1995 there is no such clause for restricting validity period of select list for 1 year. The G.R. dated 21.04.2009 which prescribed the procedure and cut off marks for passing examination is also totally silent on this crucial point. This

being so, the insertion of Clause 13 restricting the period of validity for 1 year is without any jurisdiction and ultra-virus.

12. We have asked learned C.P.O. repeatedly the source of power of Respondent No.2 to impose such condition of 1 year but nothing has been substantiated in this behalf and she has not been able to show how it is legal or valid. On the contrary, she fairly concedes that the Respondent No.2 is operating the list of 2013. That means the condition in Circular dated 02.07.2013 is impliedly cancelled. Indeed, there could be no such restriction of 1 year validity period unless it is embodied in Recruitment Rules. It is only qualifying examination and once the candidate appears in examination and get through it, there will be no need to appear the candidate again and again and the same list is required to be operated till it exhausted and appointments are required to be made on the basis of seniority viz-a-viz vacancy position. Suffice to say, the Respondent No.2 cannot supplant or substituted something in the Rule without any source of law or rules and insertion of condition of 1 year validity is totally arbitrary, ultra-virus and devoid jurisdiction. Clause 13, therefore required to be quashed.

13. Next grievance is about non publishing of correct result of the list showing necessary details. Learned Counsel for the Applicants pointed out that Tribunal at one point of time gave directions to Respondent No.2 to publish the list and it was accordingly published but again it lacks necessary particulars. Insofar as this grievance is concerned, we deem it proper to direct the Respondent No.2 to publish the result of 2013 examination with necessary details like marks obtained by the candidates, their position in original seniority list etc. within reasonable time.

14. Insofar as prayer clause (b) for direction to Respondents not to hold the departmental examination unless and until all successful candidates including the Applicants are promoted to the post of PSI from the promotional quota or otherwise, is concerned, learned Counsel for the

Applicants is not pressing for the said relief. Indeed, learned C.P.O. made a statement that appropriate amendments to Recruitment Rules are in the pipeline at the level of Government and necessary steps would be taken soon.

15. Insofar as Prayer Clause 'd' is concerned, learned C.P.O. fairly stated that practice of giving ad-hoc promotion is already stopped. Therefore, grievance in this behalf does not survive. Indeed, the Respondent Nos.4 to 79 were promoted on ad-hoc posts but later they were reverted back. Suffice to say, the practice of ad-hoc promotion is now stopped and promotions are being given to candidates who passed examination held in 2013.

16. The totality of the aforesaid discussion leads us to pass following order :-

(i) The Condition No.13 in Circular dated 02.07.2013 that validity of 2013 departmental examination is 1 year is quashed and set aside.

(ii) The Respondent No.2 is directed to publish fresh list of 2013 departmental examination with necessary details like marks obtained, seniority position amongst other thing within 3 months from today. It should be published on official website of Respondent No.2.

(iii) No order as to costs.

Sd/-
(Bijay Kumar)
Member (A)

Sd/-
(A.P. Kurhekar)
Member (J)

Place: Mumbai

Date: 22.02.2023

Dictation taken by: Vaishali Santosh Mane

D:\VSM\VSO\2023\ORder & Judgment\February\Dept. Exam\O.A.04 of 2018 (DB).doc

