

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1051 OF 2015
(Subject : Seniority List)

DISTRICT : PUNE

1. Suryakant Gundu Kumbhar,)
Age : 42 years, Off. Service as Sectional Engineer,)
In P.W. Sub-Division Mulshi (Paud), Pune.)
R/o. I-403, Gravillea Bldg., Magarpatta City,)
Hadapsar, Pune 411 013.)
2. Maharudra Raghunath Khabile,)
Age : 42 years, Occ. Service as Sectional Engineer,)
In P.W. Sub-Division, Daund, Pune,)
R/o. H-201, Gravillea Building, Magarpatta City,)
Hadapsar, Pune 411 013.)
3. Balshetwar Shripad Madhukarrao,)
Age : 44 years, Occ. Service as Sectional Engineer,)
In P.W. Sub-Division, Saswad, Tq. Purandar,)
Dist. Pune. R/o. B-1/11, P.S. Angan Near)
Magarpatta City, South Gate,)
Hadapsar, Pune 411 013.)
4. Shaikh Khaled Saleem Abdul Hakeem,)
Age : 45 years, Occ : Service as Sectional Engineer,)
In P.W. Sub-Division, Baramati, Pune,)
R/o. F-1101, Hillmist Harmony, N.I.B.M. Road,)
Kausar Baug, Kondhwa (Kh.) Pune 411 048.) ... Applicants

Versus

1. The State of Maharashtra,)
Through the Presenting Secretary,)
Maharashtra Administrative Tribunal,)
Mumbai.)
2. The Additional Chief Secretary,)
Public Works Department,)
Mantralaya, Mumbai 400 032.)

3. The Principal Secretary,)
 Revenue & Forest Department (Rehabilitation),)
 Mantralaya, Mumbai 400 032.)
4. The Principal Secretary,)
 General Administration Department,)
 Mantralaya, Mumbai 400 032.) ... Respondents

Shri A.S. Deshpande, learned Advocate for the Applicants.

Smt. Archana B.K., learned Presenting Officer for the Respondents.

CORAM : **SHRI P.N. DIXIT, VICE-CHAIRMAN**
SHRI A.P. KURHEKAR, MEMBER(J)

DATE : **06.08.2019**

PER : **SHRI A.P. KURHEKAR, MEMBER(J)**

J U D G M E N T

1. Heard Shri A.S. Deshpande, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. In the present Original Application, Applicants are seeking direction to count their service on contract basis for the purpose of seniority with other consequential benefits. The Applicants were appointed on contract basis in the year 1995 purely on contract basis to the post of Junior Engineer. Later on, they were absorbed in service in the year 1999. Now, the Applicants are seeking seniority from the date of initial appointment. They have made representations to the Government on 19.01.2014, 08.02.2014 and 29.09.2015. However,

Respondents did not respond to the representations. Applicants have, therefore, approached this Tribunal.

3. In our considered opinion, the matter can be disposed of as the representations made by the Applicants are not yet decided by the Government. Therefore, it would be appropriate to direct the Respondents to take suitable decision on the representation in accordance to law.

4. In view of the above, Original Application is disposed of with following directions :-

- (a) Respondent No.2 is directed to consider the representations dated 19.01.2014, 08.02.2014 and 29.09.2015 made by the Applicants and shall pass the appropriate order in accordance with rules, within four months from today.
- (b) Decision as the case may be, shall be communicated to the Applicants within two weeks thereafter.
- (c) If the Applicants felt aggrieved by the decision they may avail legal remedy in accordance to law.
- (d) No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

Sd/-

(P.N. Dixit)
Vice-Chairman

prk

