

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH, NAGPUR**

ORIGINAL APPLICATION NO 111 OF 2009

DISTRICT : NAGPUR

Shri Pradeep Ajabrao Pawar,)
Occ : Nil, R/o: At & Post Ridhora,)
Tal-Katol, Dist-Nagpur.)**...Applicant**

Versus

1. The State of Maharashtra)
Through the Secretary,)
General Administration Dept.)
Mantralaya, Mumbai – 32.)
2. The Deputy Director,)
Land Record, Nagpur Division,)
Nagpur.
3. Respondent no. 3 – Deleted.)
4. The Collector,)
Nagpur Division, Nagpur.)**...Respondents**

Mrs B.P. Maldhure, learned advocate for the Applicant.

Shri M.I Khan, learned Presenting Officer for the Respondents.

CORAM : Shri Rajiv Agarwal (Vice-Chairman) (A)
Shri J.D Kulkarni (Vice-Chairman) (J)

DATE : 06.07.2017

PER : Shri Rajiv Agarwal (Vice-Chairman)

ORDER

1. Heard Mrs B.P. Maldhure, learned advocate for the Applicant and Shri M.I Khan, learned Presenting Officer for the Respondents.

2. The Applicant in this Original Application is seeking appointment as a Sweeper on the establishment of Respondent no. 2 as a Project Affected Person (P.A.P).

3. This Tribunal by judgment dated 6.1.2017 in O.A no 317/2009, 318/2009 and 55/2010 has held that a Project Affected Person cannot be appointed directly and he has to apply for the post horizontally reserved for PAPs as and when advertisement is issued by the recruiting authorities. This judgment was based on the judgment of Full Bench of Hon'ble Bombay High Court (Aurangabad Bench) dated 9.7.2009 in W.P 5266/2008 reported in 2009(5) ALL M.R 830.

4. We are unable to take any view different from the view taken by us while delivering judgment dated 6.1.2017 in O.A nos 317/2009, 318/2009 and 55/2010.

5. This Original Application is accordingly dismissed with no order as to costs.

(J.D Kulkarni)
Vice-Chairman (J)

(Rajiv Agarwal)
Vice-Chairman (A)

Place : Nagpur
Date : 06.07.2017
Dictation taken by : A.K. Nair.