

**Date : 03.01.2023**

**M.A.No.4/2023 in O.A.No.1287/2022**

D.B. Karande & Ors. ....Applicants

Vs.

The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. M.A.No.423/2022 is filed seeking amendment and permission to add as a Party Applicants in O.A.No.1287/2022. Amendment to be carried out forthwith. Amended copy to be served upon the concerned.

3. In view of the above, M.A. stands disposed of as allowed.

Sd/-

**(Medha Gadgil)  
Member(A)**

Sd/-

**(Mridula Bhatkar, J.)  
Chairperson**

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO.1287 OF 2022**

1. Deepak Balu Karande )  
Age. 30 years, Occ. Student, )  
R/at. Navi Peth, Dist. Pune – 30 )
2. Reshma Anil Dhamal )  
Age. 25 years, Occ. Student, )  
R/at. At Munjawadi, Tal. Phaltan, )  
Dist. Satara )
3. Rahul Nagorao Chavan )  
Age. 30 years, Occ. Student, )  
R/at. Swami Vivekanand Nagar, )  
Nanded )
4. Pradip Velji Gavit )  
Age. 31 years, Occ. Student )  
R/at. Plot No. 175, Mangaldas Park, )  
Navapur, Tq. Navapur, Dist. Nandurbar 425418 )
5. Abhijeet Ramesh Thengre )  
Age. 26 years, Occ. Student )  
R/at. Civil Line, Vidya Nagar, )  
Bramhapuri, Dist, Chandrapur – 442401 )
6. Arun Dilip Tokale )  
Age. 41 years, Occ. Student, )  
R/at. Post Borsuri, Tq, Nilanga, )  
Dist. Latur )
7. Sunil Mahadev Gadave )  
Age. 36 years, Occ. Student, )  
R/at. Flat No. 6, Wing A, Sunshine Nagar, )  
Rahatni, Pimpri Pune )
8. Sadhana Ramdas Shendage )  
Age. 28 years, Occ. Student, )  
R/at. Balwant Apartment, Near Lajjat )  
Hotel, Sadashiv Peth, Pune 413109 )

9. Miss. Akanksha Hanumant Sawant )  
Age. 24 years, Occ. Student, )  
R/at. "Shreeram" Ganesh Society, )  
Ambegaon Bk., Pune )
10. Akash Bhagwan Waghmode )  
Age. 29 years, Occ. Student, )  
R/at. 43/2B, Datta Nagar, Lane No. 1, )  
Katraj – Ambegaon Road, Pune 411046 )
11. Akshay Phulchand Mundhe )  
Age. 27 years, Occ. Student, )  
R/at. J. K. Market, Tapkiri Galli, )  
Kasba Peth, Pune )
12. Vaishali Arjun Galave )  
Age. 27 years, Occ. Student, )  
R/at. Navi Peth, Pune )
13. Amarsinha Popat Jadhav )  
Age. 29 years, Occ. Service, )  
R/at. Post. Bhajare, Tal. Khatar, )  
Dist. Satara – 415527 )
14. Nanasaheb Khandu Bhangare )  
Age. 39 years, Occ. Student, )  
R/at. Sasoon Hospital Doctor's Qtrs., )  
New Mangalwar Peth, Pune 411001 )
15. Ganesh Balasahen Pisal )  
Age. 27 years, Occ. Student, )  
R/at. H. M. Hostel, Mama Yenapure Nagar, )  
Katraj, Pune )
16. Akash Bhimrao More )  
Age. 35 years, Occ. Student, )  
R/at. Teachers Colony, Dongaon Road, )  
Mehkar, Tq. Mehkar, Dist. Buldhana )
17. Dnyaneshwar Appaso Wanave )  
Age. 31 years, Occ. Jr. Auditor, )  
R/at. Amrai Residency, Shahunagar, )  
Satara )

18. Laxmikant Bappa Tandale )  
Age. 27 years, Occ. Student, )  
R/at. Swarajya Nagar, Tq. Beed )  
Dist. Beed )
19. Akshay Shahaji Salunkhe )  
Age. 27 years, Occ. Student, )  
R/at. Flat No. 13 "Audumbaqr Apt., )  
15-Bhawani Peth, Satara )
20. Sushant Parasharam Khot )  
Age. 28 years, Occ. Student, )  
R/at. Rambaug Colony, Navi Peth, )  
Pune )
21. Priti Anil Tipale )  
Age. 30 years, Occ. Service, )  
R/at. Flat No. 502, Vishram Tower-2, )  
Sector - 9, Shreenagar, Thane West 400604 )
22. Sanket Uddhav Bhamare )  
Age. 29 years, Occ. Student, )  
R/at. Shriram Bunglow, Shanti Nagar, )  
Bhakshi Road, Sataran, Tal. Baglan, )  
Dist. Nashik )
23. Akshay Bhaskar Borse, )  
Age. 23 years, Occ. Student, )  
R/at. Nalkas, Post-Khirmani, )  
Taluka - Satana, Dist. Nashik )
24. Avinash Kondibhau Jadhav )  
Age. 27 years, Occ. Student, )  
R/at. Jambat, Tal. Shirur, )  
Dist. Pune 410504 )
25. Sambhaji Shivaji Gadsing )  
Age. 29 years, Occ. Student, )  
R/at. Malegaon, Tal. Barshi, )  
Dist. Solapur )
26. Nishikant Shashikant Shinde )  
Age. 24 years, Occ, Student, )  
R/at. Namrata Apartment, )  
Rukmini Estate, Karad, Satara )

27. Miss. Swapnil Nagnath Ubale )  
Age. 28 years, Occ., Student, )  
R/at. Ganjawe Chawk, Navi Peth, )  
Pune 411030 )
28. Rupali Sahebrao Dakhore )  
Age. 29 years, Occ. Student, )  
R/at. At Kali Peth, Basmathnagar, )  
Dist. Hingoli )
29. Ganesh Appasaheb Ghumare )  
Age. 34 years, Occ. Service, )  
R/at. At Post Pargaon Ghumara, )  
Tq. Patoda, Dist. Beed )
30. Vinayak Namdeo Rathod )  
Age. 29 years, Occ. Student, )  
R/at. Uda Tanda, Tq. Kandhar, )  
Dist. Nanded )
31. Shantanu Rajendra Parhad )  
Age. 26 years, Occ. Student, )  
R/at. At Post Sakharkherda, )  
Dist. Buldhana )
32. Chaitali Damodar Satole )  
Age. 26 years, Occ. Student, )  
R/at, Agrasen Colony, Ghatpuri Road, )  
Khamgaon, Dist.l Buldhana, 444303 )
33. Vishwajeet Ashok Jadhav )  
Age. 31 years, Occ. Student, )  
R/at. Plot No. 1, Rama Nagar, )  
Behind H. P. Petrol Pump, )  
Aurangabad )
34. Sonali Pradeep Kamble )  
Age. 26 years, Occ. Student, )  
R/at. Pali, Tal. Sudhagad, )  
Dist. Raigad )
35. Kaveri Dhondaji Kadam )  
Age. 27 years, Occ. Student, )  
R/at. Nisarg Colony, At Post Karanje )  
Naka, Dist. Satara )

36. Omkar Shrikant Gaikwad )  
 Age. 24 years, Occ. Student, )  
 R/at. Kuslkar Chowk, Ghokhale Nagar, )  
 Dist. Pune )
37. Narendra Sudhakar Choudhari )  
 Age. 32 years, Occ. Student, )  
 R/at. Bldg. No. 33, Flat No. 1506, )  
 Regency Sarvan, Titwala (E), 421605 )
38. Mahendra Sahebrao Patil )  
 Age. 30 years, Occ. Student, )  
 R/at. Ekta Nagar, Gokhalenagar, )  
 Dist. Pune )
39. Amol Nivrutti Ghuge )  
 Age. 32 years, Occ. Service, )  
 R/at. Pandharpur nagar, Akola Bypass Road, )  
 Hingoli, Tq. & Dist. Hingoli 431513 )
40. Aishwarya Ramesh Pawar )  
 Occ. Student, R/at. Hatti Ganpati, )  
 Sadashiv Peth, Dist. Pune )
41. Sagar Shantaram Avhad )  
 Age. 26 years, Occ. Student, )  
 R/at. Ekta Nagar Colony, Gokhale Nagar, )  
 Dist. Pune )
42. Abhijeet Dattatray Dhere )  
 Age. 28 years, Occ. Student, )  
 R/at. Ekta Nagar Colony, )  
 Gokhale Nagar, Dist. Pune )
43. Sayali Sudam Kamble )  
 Age. 22 years, Occ. Student, )  
 R/at. 402, Bldg, No. 2 Shree Complex, )  
 Near Icon Hospital, Manpada Road, )  
 Dombivli (E), 421201 )
44. Swapneel Laxman Chaugule )  
 Age. 37 years, Occ. Service, )  
 R/at. Gopalkrushna Wadi, Pag Naka, )  
 Chiplun, Tq. Chiplun, Dist. Ratnagiri )

45. Bhimrao Hari Bhagure )  
Age. 32 years, Occ. Student, )  
R/at. Aurangpura, Dist. Aurangabad )
46. Sharvary Kailas Deore )  
Age. 27 years, Occ. Student, )  
R/at. Matoshree Colony, Warje Jakat Naka, )  
Karne Nagar, Dist. Pune )
47. Miss. Swapnali Nagnath Ubale )  
Age, 28 years, Occ. Student, )  
R/at. Ganjawe Chowk, Navi Peth )  
Dist. Pune 411030 )
48. Madhukar Malojirao Pisal )  
Age. 35 years, Occ. Student, )  
R/at. Post Ozarde, Dist. Satara )
49. Mahesh Arjun Barate )  
Age. 28 years, Occ. Student, )  
R/at. Post. Wadgaon Darekar, Tq. Daund, )  
Dist. Pune 413801 )
50. Swami Anand Basweshwar )  
Age. 29 years, Occ. Student, )  
R/at. Gharni, Tq. Chakur, )  
Dist. Latur )
51. Arju Rambhau Shende )  
Age. 28 years, Occ. Student, )  
R/at. Bhagawa Nagar Layout, )  
Dharmpeth, Dist. Nagpur )
52. Kishor Vilas Mane )  
Age. 37 years, Occ. Service, )  
R/at. H.No. 09, Shriniwas CHS, )  
Balaji Nagar, At Post. Padgha, )  
Tq. Bhiwandi, Dist. Thane 421101 )
53. Jotiba Shankar Pukale )  
Age. 22 years, Occ. Student, )  
R/at. Post. Kargani, Tal. Atpadi, )  
Dist. Sangli. )

54. Sachin Sheshrao Gawai )  
Age. 29 years, Occ. Student, )  
R/at. Sampda Apartment, )  
Narayan Peth, Pune – 30 )
55. Dattatray Yashwant Shinde )  
Age. 38 years, Occ. Service, )  
R/at. At Post Venuwadi, Tq. Bhor, )  
Dist. Pune )
56. Sukeshani Digambar Kadam )  
Age. 28 years, Occ. Student, )  
R/at. Tukai Darshan, Saswad Road, )  
Pursungi, Dist. Pune )
57. Komal Haribhau Chakchavan )  
Age. 25 years, Occ. Student, )  
R/at. Veer Savkar Nagar, Purnaroad, )  
Nar Chhatrapati Chowk, Dist. Nanded 431605 )
58. Saurabh Ananda More )  
Age. 24 years, Occ. Student, )  
R/at. J. M. Road, Gaothan, )  
Shivaji Nagar, Pune 411005 )
59. Mayur Barku Bhamare )  
Age. 27 years, Occ. Service, )  
R/at. Plot No. 26, Parshawnath Nagar, )  
Soygaon, Malegaon, Dist Nashik 423203 )
60. Pritam Ashok Thombare )  
Age. 31 years, Occ. Service, )  
R/at. Post Baramati, Dist. Pune )
61. Sarika Chandrakant Borade )  
Age. 30 years, Occ. Student, )  
R/at. Temblaiwadi (Rajarampuri), )  
Dist. Kolhapur )
62. Subhash Babji Janore )  
Age. 32 years, Occ. Student, )  
R/at. Post/ Narsi, Tq. Naigaon, )  
Dist. Nanded )



63. Jaideep Jaisingha Deshmukh )  
Age. 29 years, Occ. Student, )  
R/at. Post Jagaji, )  
Tq. Dist. Osmanabad 413509 )
64. Bhagwan Laxman Waghmode )  
Age. 38 years, Occ. Service, )  
R/at. Sonyal, Tq. Jath, Dist. Sangli )
65. Gunjan Manohar Gajare )  
Age. 35 years, Occ. Job, )  
R/at. 2, Bhalchandra Nagar, Bhusawal, )  
Dist. Jalgaon – 425201 )
66. Deepakraj Mukund Surwade )  
Age. 33 years, Occ. Student, )  
R/at. A/P. Lumbini Nagar, Varangaon, )  
Tq. Bhusawal, Dist. Jalgaon – 425305 )
67. Pravin Popat Aru )  
Age. 36 years, Occ. Student, )  
R/at. B-102, Kalas, Jadhav Vasti, Alandi )  
Road, Laxmi Township-2, Pune 15 )
68. Prajakta Ramesh Chavan )  
Age. 25 years, Occ. Student, )  
R/at. Ratnai Niwas, Dattanagar, )  
Malkapur, Karad, Dist. Satara )
69. Nilesh Suresh Mane )  
Age. 35 years, Occ. Student, )  
R/at. Post Yashwant Nagar, )  
Sunyana Nagar, Akluj )
70. Nitesh Nandkumar Mandlik )  
Age. 29 years, Occ. Student, )  
R/at. Petania, Everest Country Side, )  
Kasarvadavali, Thane (W) )
71. Sandip Vishnu Sontakke )  
Age. 32 years, Occ. Student, )  
R/at. Sangram Chowk, )  
Ichalkaranji 416115 )

72. Pooja Suresh Bhuse )  
 Age. 23 years, Occ. Student, )  
 R/at. Saraswati Sadan Girl's Hostel, )  
 Sadashiv Peth, Dist. Pune )
73. Rahul Dattatraya Gujar )  
 Age. 33 years, Occ. Student, )  
 R/at. At Bavi, Post Tamb, )  
 Tq. Bhoom, Dist. Osmanabad 413504 )
74. Minakshi Ashok Parjane )  
 Age. 38 years, Occ. Student, )  
 R/at. Sinddhant Society, Shaniwar Peth, )  
 Dist. Pune )
75. Vij Ria Umesh )  
 Age. 32 years, Occ. Student, )  
 R/at. Flat No. 901, B Wing, )  
 Prabhu Atlantis, Balawant Nagar, )  
 Gangapur Road, Nashik )
76. Rishikesh Kailasrao Suryawanshi )  
 Age. 33 years. Occ. Student, )  
 R/at. Sainath Society, Shastri Nagar, )  
 Chalisgaon, Dist. Jalgaon 424101 )
77. Ruturaj Balasaheb Khodse )  
 Age. 23 years, Occ. Student, )  
 R/at. Pokhari Road, Banai Nagar, )  
 Ambajogai, Beed 431517 )
78. Chaitanya Deepak Sangwai )  
 Age. 35 years, Occ. Service, )  
 R/at. Khandelwal Nagar, Behind ST )  
 Colony, Akola 04 )
79. Sarita Ramesh Pawar )  
 Age. 24 years, Occ. Student, )  
 R/at. Shreeram Ganesh Society, )  
 Ammbegaon Bk, Pune )
80. Satish Laxman Kadam )  
 Age. 28 years, Occ. Student, )  
 R/at. NECO, Akurdi, Near Grudwara Chowk, )  
 Akurdi, Dist. Pune 411033 )

81. Satish Jagannath Rindhe )  
Age. 34 years, Occ. Student, )  
R/at. Narlibag, Khadkeshwar, )  
Dist Aurangabad )
82. Amol Vishwasrao Shinde )  
Age, 26 years, Occ. Student, )  
R/at. Chaitanya Apartment, Shaniwar )  
Peth, Pune 411030 )
83. Shwetlana Husen Mulani )  
Age. 27 years, Occ. Student, )  
R/at. Mahin Manjil, Near Rest House, )  
Link Road, Pandharpur 413304 )
84. Archana Mohan Rane )  
Age. 31 years, Occ. Student, )  
R/at. Post Soratewadi (Karchewadi), )  
Tq. Baramati, Dist. Pune )
85. Sneha Pradip Patil )  
Age. 29 years, Occ. Student, )  
R/at. Mahaganga Apartment, )  
Munjababol, Narayan Peth, )  
Pune 411030 )
86. Surgiv Jagannath Gangthade )  
Age. 33 years, Occ. Student, )  
R/at. Post Harwadi, Taluka Renapur, )  
Dist. Latur - 413527 )
87. Sunny Ramesh Ukirade )  
Age. 23 years, Occ. Student, )  
R/at. Ambedkar Nagar, Indapur, )  
Tq. Indapur, Dist. Pune 413106 )
88. Sangram Subhash Deokate )  
Age. 25 years, Occ. Student, )  
R/at. Mekhali, Tq. Baramati, )  
Dist. Pune 413102 )
89. Swapnil Raosaheb Khemnar )  
Age. 25 years, Occ. Student, )  
R/at. B-15, Panchaganga Soc. )  
Vijaynagar, D Camp, Nashik 422401 )

90. Tanmay Ashok Pote )  
Age. 26 years, Occ. Student, )  
R/at. Vrundavan Society, Bhatsai Road, )  
Vasind (E), Tal. Shahapur, Dist. Thane )
91. Tushar Sanjay Jadhav )  
Age. 23 years, Occ. Student, )  
R/at. Bavkalwadi, Post. Pimpri BK, )  
Tal. Khandala, Dist. Satara 415521 )
92. Vaishnavi Anil Adsad )  
Age. 24 years, Occ. Student, )  
R/at. Kediya Nagar, Rajapeth, )  
Amravati )
93. Vaishnavi Madanrao Kale )  
Age, 23 years, Occ. Student, )  
R/at. Post Yerendeshwar, Tq. Purna, )  
Dist. Parbhani )
94. Shubhangi Dinkar Sanap )  
Age. 28 years, Occ. Student, )  
R/at. Vankarwadi, Tq. Tasgaon, )  
Dist. Sangli 416312 )
95. Anand Uttam Bhong )  
Age. 30 years, Occ. Student, )  
R/at Post Indapur, Tq. Indapur, )  
Dist. Pune )
96. Dinesh Abasaheb Khaire )  
Age. 32 years, Occ. Job, )  
R/at. Khaire Vasti, Padali, )  
Tq. Jamkhed, Dist. Ahmednagar )
97. Shrikrishna Janardhan Malave )  
Age. 29 years, Occ. Student, )  
R/at. Near Aksharbag, Tawre Colony, )  
Satara Road, Pune )
98. Shital Krishnarao Paluskar )  
Age. 35 years, Occ. Student, )  
R/at. Krishna Leela Niwas, Prabhakar Park, )  
Gopalpatti, Manjari B.K., Pune 412307 )

99. Sagar Rahul Ahiwale )  
 Age. 36 years, Occ. Student, )  
 R/at. 215, Mangalwar Peth, Phaltan, )  
 Tal. Phaltan, Dist. Satara 415523 )
100. Sanket Pradeep Siddhabhatti )  
 Age. 26 years, Occ. Student, )  
 R/at. Bhav-deep, Aras Layout, )  
 Ward No. 20, Buldhana – 443001 )
101. Bharati Tanaji Yamagar )  
 Age. 31 years, Occ. Student, )  
 R/at. Bilashi, Tal. Shirala, )  
 Dist. Sangli )
102. Premkumar Tukaram Naik )  
 Age. 42 years, Occ. Student, )  
 R/at. Balaji Apartment, Sankalp Nagar, )  
 Near Hotel Yashonand, Bhadgain Road, )  
 Gadhinglaj-416502 )
103. Rahul Dilip Sarse )  
 Age. 33 years, Occ. Student, )  
 R/at. Post Womenbhau Nagar, Tal. Pathardi, )  
 Dist. Ahmednagar )
104. Rohit Baburao Karale )  
 Age. 29 years, Occ. Student, )  
 R/at. Shantai Apartment, Shaniwar Peth, )  
 Dist. Pune )
105. Kailas Prakoash Kolekar )  
 Age. 26 years, Occ. Student, )  
 R/at. Sadashiv Peth, Dist. Pune )
106. Sandip Sakharam Bachkar )  
 Age. 37 years, Servant, )  
 R/at. Galnimb, Tq. Shrirampur, )  
 Dist. Ahmednagar, )
107. Vaibhav Bapu Kothare )  
 Age. 28 years, Occ. Student, )  
 R/at. Wanadongari, Hingna Road, )  
 Dist. Nagpur )

108. Sandeep Sudhakar Dhakane )  
 Age. 31 years, Occ. Student, )  
 R/at. Dhakanewasti, Post. Ladjalgaon, )  
 Tq. Shevgaon, Dist. Ahmednagar, )
109. Shraddha Shamrao Kale )  
 Age. 26 years, Occ. Student, )  
 R/at. Sr. No. 88/2, Sai Colony, )  
 Mohammadwadi Road, Hadapsar, Pune 60 )
110. Ashok Baban Raut )  
 Age. 31 years, Occ. Student, )  
 R/at. Date Bhat Bol, Narayan Peth, )  
 Dist. Pune )
111. Sharad Dadarao Barate )  
 Age. 28 years, Occ. Student, )  
 R/at. 38, Anand Nagari Society, )  
 Pawale Chowk, Kasba Peth, Pune )
112. Premvijay Hanumant Bandgar )  
 Age. 33 years, Occ. Student, )  
 R/at. Nahbe, Pune 411041 )
113. Umesh Ashok Hingmire )  
 Age. 24 years, Occ. Student, )  
 R/at. Front Side of Badami Haud Gyam, )  
 Shinde Aali, Shukrwar Peth, Pune )
114. Vajjnath Hanuman Korde )  
 Age. 30 years, Occ. Student, )  
 R/at. Mahad, Dist. Raigad. )
115. Bhanudas Vikasrao Yadav )  
 Age. 31 years, Occ. Student, )  
 R/at. Sr. 259, Near Shankar Mandir, )  
 Dattawadi, Pune 411030 )
116. Uday Mahadev Tapkire )  
 Age. 27 years, Occ. Student, )  
 R/at. Bidal, Tal. Man, )  
 Dist. Satara )

117. Rani Gopal Shipkule )  
Age. 29 years, Occ. Student, )  
R/at, Post Somanthali, Tal. Phaltan, )  
Dist. Satara )
118. Vinod Jagannath Shinde )  
Age. 30 years, Occ. Student, )  
R/at. At Post. Ganjur, Tq. Chakur, )  
Dist. Latur )
119. Aboli Digambar Katake )  
Age. 25 years, Occ. Student, )  
R/at. Post Wagholi (Katakewadi), )  
Tq. Haweli, Dist. Pune )
120. Shivaji Tulshiram Chabukswar )  
Age. 24 years, Occ. Student, )  
R/at. In the front of Government Polytechnic, )  
Amravati, Dist. Amravati 444604 )
121. Ramchandra Khandu Tambe )  
Age. 32 years, Occ. Service, )  
R/at. Sai Miracal, Plot No. 70 and 84A, )  
Sect 22, Kamothe, Navi Mumbai Panvel )
122. Vikesh Shyamrao Thakare )  
Age. 28 years, Occ. Student, )  
R/at. Post. Nikumbhe Tal. Dhule )  
Dist. Dhule 423303 )
123. Shivani Vijay Shirsath )  
Age. 25 years, Occ. Student, )  
R/at. Swamishri Bunglow, Jagtap Mala, )  
Nashik Road, Nashik 422101 )
124. Preeti Ashok Pawar )  
Age. 37 years, Occ. Housewife, )  
R/at. Kadam Plaza, Katraj, )  
Dist. Pune )
125. Ganesh Dhananjay Bhange )  
Age. 31 years, Occ. Student, )  
R/at. Jai Malhar Colony, Vishal Nagar, )  
Near Jagtap Dairy, Pune )

126. Vijay Dattatray Kedar )  
 Age. 31 years, Occ. Student, )  
 R/at. Mangrul Bk., Po. Hasnapur, )  
 Tq. Shevgaon, Dist. Ahmednagar )
127. Dattesh Panrajrao Garle )  
 Age. 26 years, Occ. Student, )  
 R/at. Bhandaraj, Tq. Anjangaon (Surji) )  
 Dist. Amravati )
128. Sukshamrao Maroti Nagargoje )  
 Age. 27 years, Occ. Student, )  
 R/at. Navi Peth, Pune )  
 Dist. Pune )
129. Uddhav Goraksh Karad )  
 Age. 27 years, Occ. Student, )  
 R/at. Ghogas Pargaon, Tq. Shirur (ka) )  
 Dist. Beed )
130. Jayashri Arun Sisode )  
 Age. 24 years, Occ. Student, )  
 R/at. Satlaj-8, Court Quarter, )  
 Vrundavan Colony Camp, )  
 Amravati 444602 )
131. Ankita Ravindra Khadatkar )  
 Age. 28 years, Occ. Student, )  
 R/at. Plot o. 30, Shesh Nagar, )  
 Kharat Road, Nagpur 440009 )
132. Rajvardhan Sambhajirao Patil )  
 Age. 28 years, Occ. Student, )  
 R/at. Yashavinauak Apartment, )  
 Shaniwar Peth, Pune 411030 )
133. Pravin Sanjay Modke )  
 Age. 27 years, Occ. Student, )  
 R/at. Post Shahajatpur, Tq. Vaijapur )  
 Dist. Aurangabad )
134. Pratik Sahebrao Parrekar )  
 Age. 23 years, Occ. Student, )  
 R/at. Shanta Apartment, Tilak Road, )  
 Navi Peth, Dist. Pune 411030 )



135. Gaurav Rajaram Choudhari )  
 Age. 30 years, Occ. Student, )  
 R/at. "Omkar" Choudhari Galli, )  
 Dist. Nandurbar )
136. Shubham Rajabhau Chavan )  
 Age. 26 years, Occ. Student, )  
 R/at. Dhorkin, Tq. – Paithan, )  
 Dist. Aurangabad )
137. Gopal Jagdish Jagdale )  
 Age. 30 years, Occ. Student, )  
 R/at. Ambaji Nagar, Shahado, )  
 Dist, Nandurbar )
138. Santosh Ganeshbhau Bharati )  
 Age. 36 years, Occ. Student, )  
 R/at. Dohara, Po. Bari, )  
 Tq. Jintur, Dist. Parbhani )
139. Swadip Keraba Namwad )  
 Age. 29 years, Occ. Student, )  
 R/at. Sathe Nagar Jalkot, )  
 Dist. Latur )
140. Ganesh Maruti Rajguru )  
 Age. 29 years, Occ. Student, )  
 R/at. Louki, Post. Kalamb, )  
 Taluka Ambegaon, Dist. Pune )
141. Nilesh Shamrao Dangre )  
 Age. 32 years, Occ. Student, )  
 R/at. Flat No. 101, Mira Kisan Apt, )  
 Plot No. 2, New Bidipeth, Nagpur 440084 )

**...Applicants**

**Versus**

1. The Secretary )  
 Maharashtra Public Service Commission )  
 5<sup>th</sup>, 7<sup>th</sup> and 7<sup>th</sup> Floor )  
 Cooprej Telephone Exchange Bldg, )  
 Maharshi Karve Marg, )  
 Cooprej, Mumbai 400021. )

**...Respondent**

M/s. S.S. Dere & Assoc., learned Advocate for the Applicants.

Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM** : **Justice Mridula Bhatkar, Chairperson**  
**Ms. Medha Gadgil, Member-A**

**DATE** : **03.01.2023**

**PER** : **Justice Mridula Bhatkar (Chairperson)**

### **J U D G M E N T**

1. Applicant is seeking directions to the Respondent to form a Committee of experts and revise the previous answer key. Further, Applicant seeks directions to the Respondent to publish the revised answer key (3<sup>rd</sup> Answer Key) before publishing the merit list and main examination result.

2. Learned Advocate for the Applicant submits that examination was conducted on 21.08.2022. 1<sup>st</sup> answer key was published on 25.08.2022 and the objections were invited on 29.08.2022. Thereafter, 2<sup>nd</sup> revised answer key was published on 02.11.2022 and on 04.11.2022 results were declared. From 11.11.2022 to 28.11.2022 the Applicants have to fill form for the Main Examination. The Applicants found that their names are not appearing in the merit list and they are shown not qualified in view of the cut of marks in the respective categories. The Applicants did not raise the objection to question no.48 because in the 1<sup>st</sup> answer key it was correctly answered as per the say of the Applicants. Question No.48 is in respect of Pituitary gland.

3. Learned Advocate Mr. Dere has challenged the answer key in respect of the following questions :-

I. Question no. 16 read as under: -

“Q. 16. In India, which of the following has become a hot-spot with reference to threats to biodiversity?

- (1) Northwestern India                      (2) Deccan Plateau  
(3) Northeastern India                      (4) Western India

The Applicant states that, the Respondent has shown option no. 3 has correct in the first and second answer key in the 12<sup>th</sup> Academic Book of India National Open University there is a chapter on the Biodiversity of India where it is clearly shows that and mentioned that Western India is the hotspot for Biodiversity hence option no. 3 shown by the Respondent is incorrect and option no. 4 ticked by the Applicants is correct.

II. Question no. 20 read as under: -

“Q. 20 – Which of the following factors are included in the chemical environment?

- (a) Temperature and soul  
(b) Water and soil  
(c) Vegetation and water  
(d) Human Functions and Biological components

Which of the statements given above is/are correct?

- (1) Only (a) and (b)                      (2) Only (b)  
(3) Only (c) and (d)                      (4) None of the above

The Applicant states that, the Respondent in first answer key and second modified answer key shown option no. 4 is correct but according to option no. 2 is correct. Hence the Applicants lost 2.5 marks. In Environment and Water Security 11<sup>th</sup> Academic Class Text Book published by the Maharashtra State Bureau of Text Book Production and Curriculum Research in its chapter no. 2 i.e., Eco system has made it clear that water and soil are factors of chemical environment, hence the option no. 2 is correct.

III. Question no. 48 read as under: -

Q.48. Pituitary gland is endocrine gland connected to hypothalamus at the base of the brain. It secretes many hormones.

- (a) It is called as master endocrine gland  
 (b) Its anterior part is neurohypophysis and posterior is adenohypophysis.  
 (c) Oxytocin and Vasopressin are secreted by posterior pituitary.  
 (d) STH, TSH, ACTH are secreted by adenohypophysis.  
 Which of the statements given above is/are correct?  
 (1) (a), (c) and (d) (2) Only (a) and (c)  
 (3) Only (d) (4) Only (b) and (d)

The Applicants state that surprisingly though none of the Applicants had raised any dispute about the answer to Question No. 48 still in the second Answer Key, the answer to the Question No. 48 was changed from option 1 to option 2, as a result, all the Petitioners who were initially declared as eligible vis-à-vis the cut-off marks provided to each category, all of a sudden became ineligible to undertake further process of the State Service Preliminary Examination 2022 i.e., they became ineligible to undergo the Mains Examination for which the Online Application Form was to be submitted before 28.11.2022. The Applicants state that in respect of Question No. 48, the answer published in the first answer key i.e., option no. 1 was the correct answer and the same has been changed to option no. 2 in the second answer key which is incorrect. The Applicants state that in view of the change in the second answer key, all Applicants have lost 2.5 marks in their aggregate score thereby led them ineligible to apply for the main examination.

**The same explanation is referred to as follows: -**

Sr. No.	Book Name	Author Name	Publisher	Year/ Edition	Page No.
1	Essentials of Medical Physiology	K Sembulingam	Jaypee Brothers Medical Publishers Pvt Ltd	6 <sup>th</sup> Edition	376
2	Biology	National Council of Educational Research and Training	National Council of Educational Research and Training	2022-23	333
3	Biology Standard Twelve	Maharashtra State Bureau of Text Book	Maharashtra State Bureau of	2020	209

		Production and Curriculum Research	Text Book Production and Curriculum Research		
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IV. Question no. 89 read as under: -

“89. After passing away of Dr. Babasaheb Ambedkar, who from the followers of Dr. Ambedkar, became members of the Congress?

- (a) R. D. Bhandare (b) Rajabhau Bhole  
(c) Dadasaheb Rupawate (d) Bapusaheb Rajbhoj

Answer Options:

- (1) Only (a), (c), (d) (2) Only (a), (b), (c)  
(3) Only (a), (b), (d) (4) (a), (b), (c), (d)

The Applicant states that, the MPSC in the first and second answer keys selected option No. 2 but it is the wrong answer since option No. 4 is correct the Applicants have given various references as below and in all the references it made it clear that Shri Netaji Bapusaheb Rajbhhoj joined the Congress after the death of Dr. Babasaheb Ambedkar. Therefore option 4 is correct but due this error of the Applicant lost 2.5 marks.

The same explanation is referred to as follows: -

Sr. No.	Book Name	Author Name	Publisher	Year/ Edition	Page No.
1	Dr. Ambedkar and Untouchability Analysing and Fighting Caste	Christophe Jaffrelot	Hurst & Company London	2005	153
2	Dalit Movements in India and Its Leaders	R. K. Kshirsagar	M. D. Publication Pvt Lrd.	1994	306
3	Encyclopaedia of Dalits in India	Sanjay Pasvan	Kalpaz Publication	2003	262
4.	Rajya Sabha Members Biographical Sketches 1952-2019	Rajya Sabha Secretarial New Delhi	Rajya Sabha Secretarial New Delhi	2019	381

4. Learned counsel for the applicants has submitted that in the first answer key published on 25.8.2022, answer (1) was shown correct and that was the same answer opted by the applicants. They did not raise any objection. However, in the revised answer key which was published on 2.11.2022, the correct answer was shown as (2), i.e. only (a) & (c). Learned counsel for the applicants submitted that the material on which the applicants are relying is widely circulated by the Government of Maharashtra for the 12<sup>th</sup> Standard examination.

5. Learned counsel for the applicants relied on Maharashtra State Bureau of Textbook Production and Curriculum Research, Pune. He further relied on the relevant portion which is reproduced below:-

“The pituitary gland is the smallest gland. It is a pea sized reddish-grey coloured gland. It controls almost all other endocrine glands, hence earlier it was called the master endocrine gland. It is located just below the hypothalamus and is attached to it by a stalk called infundibulum or hypophyseal stalk. Pituitary gland remains lodged in a bony depression called sella turcica of the sphenoid bone. Pituitary gland consists of two lobes called anterior lobe (Adenohypophysis). Both the lobes develop from different parts of embryo. Hence, it has dual origin.

Adenohypophysis is an outgrowth from the roof of buccal cavity. This outgrowth is called Rathke's pouch. It grows upward towards the brain. The neurohypophysis grows as a downward extension of hypothalamus. The two outgrowths together form the pituitary gland. The connection of Rathke's pouch with pituitary gland is lost in embryo. Intermediate lobe (Pars intermedia) is a small reduced part lying in the left between the anterior and posterior lobe.

“The hormones of adenohypophysis are as follows:-

1. Somatotropin/Somatotropic Hormone /STH /Growth hormone/GH :

This hormone stimulates growth and development of all tissues by accelerating protein synthesis and cell division. Highest secretion of GH is seen till puberty and then its secretion becomes low. However, it is continuously secreted throughout life for repair and replacement of body tissue or cells.

Improper secretion of growth hormone produces various disorders. Hyposecretion of growth hormone since childhood results in stunted physical growth and the condition is called pituitary dwarfism.

Hypersecretion of growth hormone in childhood causes Gigantism a condition of overgrowth. The individual attains abnormal height. When the pituitary gland produces excess growth hormone in middle aged adults, it results in disproportionate growth causing disfigurement and enlargement of bones of nose, lower jaw, hands, fingers and feet. The condition is called Acromegaly.

2. Thyrotropin/Thyroid stimulating Hormone / TSH: Its primary action is to stimulate the thyroid gland for secretion of the hormone thyroxine.

3. Adreno corticotropic hormone / ACTH / Adrenocorticotropin : It stimulates adrenal cortex to produce and secrete its hormones. It maintains functioning of adrenal cortex.

4. Prolactin/Luteotropin/Mammotropin: Prolactin is unique among pituitary hormones as it is under predominant inhibitory control from hypothalamus. Prolactin activates growth of breasts during pregnancy (mammotropin) and stimulates the milk production and secretion of milk (lactogenic) by mammary gland after child birth.

Question No.	First Answer Key	Second Answer Key	Correct answer as per Applicants
16	Option No. 3	Option No. 3	Option No. 4
20	Option No. 4	Option No. 4	Option No. 2
48	Option No. 1	Option No. 2	Option No. 1
89	Option No. 2	Option No. 2	Option No. 4

6. In support of his submissions, learned Counsel for the Applicants relied on the following judgments of the Hon'ble Supreme Court:-

- (i) **KANPUR UNIVERSITY, THROUGH VICE-CHANCELLOR & ORS Vs. SAMIR GUPTA & ORS, (1983) 4 SCC 309.**
- (ii) **RAN VIJAY SINGH & ORS, Vs. STATE OF UTTAR PRADESH & ORS, (2018) 2 SCC 357.**
- (iii) **U.P.P.S.C, through its Chairman & Anr Vs. Rahul Singh & Anr, Civil Appeal No. 5838/2018 (Arising out of SLP (C) No 12472/2018).**

7. Learned C.P.O. while opposing the submissions made by learned Advocate relied on short affidavit-in-reply dated 29.12.2022 filed on behalf of Respondent through Mr. Bhalchandra Pandurang Mali, Under Secretary in the office of Secretary, Maharashtra Public Service Commission, Mumbai wherein the orders dated 24.11.2022 and 15.12.2022 passed in O.A.Nos.1145, 1150 & 1175 of 2022 are being discussed.

8. Learned C.P.O relied on the judgment of the Hon'ble Bombay High Court dated 4<sup>th</sup> October, 2022 in Writ Petition No. 8882 of 2022, M.P.S.C Vs. Janakraj M. Gund & Ors.

9. Learned counsel Mr. Dere for the applicants has submitted that the State Services Preliminary Examination is equivalent to the standard of Degree Examination and not above that. Learned counsel further submitted that any person having knowledge of Degree level can assess the question, answer and their correctness. Learned counsel for the applicants submitted that the candidates are remediless when all the Judicial Fora including the Tribunal, High Court and Supreme Court are saying that they have no powers to correct what experts have said. Learned counsel for the applicants submitted that in the Civil Services Examination 2021 the Experts have deleted seven questions and eight questions from Maharashtra Secondary Services Group-B Combined Preliminary Examination-2021. These questions were framed by the Experts and deleted by the Experts. On this background, the complaints made by the candidate to the M.P.S.C are arguable complaints and disposing their objections by just saying that we are not Experts amounts to denial of the Constitutional right to have remedy. Learned counsel further submitted that there is need to appoint an independent expert committee in order to scrutinize and determine which is the correct answers to the questions against which objection have been raised by the applicants. On this background



learned counsel submitted that there is no legal definition in law to narrate what is 'glaring mistake' and using such terminology in vague manner will prove detrimental in exercising the fundamental right to access justice. The counsel in all the applications in fact have questioned the knowledge, experience and authority of the Experts. However, we cannot go deep into who should be an expert as that is the issue which is to be looked into and decided either by M.P.S.C or the State Government under the law. However, we are bound by the guidelines laid down by the Hon'ble Supreme Court in the case of **RAN VIJAY SINGH (supra)** and **Hon'ble High Court in Writ Petition No. 8882 of 2022, M.P.S.C Vs. Janakraj M.Gund & Ors.**

10. In **KANPUR UNIVERSITY's case (supra)**, the students appearing for M.B.B.S Examination have challenged the answer key. The Hon'ble Supreme Court held that it is a good practice to provide the answer key and normally it is presumed that the answers given in the key are correct and if at all it is challenged then it can be ascertained on the basis of the text books prescribed by the State and thereafter the revaluation of the question papers can be directed to the body conducting the examinations.

11. In the case of **RAN VIJAY SINGH's case (supra)**, the Hon'ble Supreme Court referred to the decision in the case of **KANPUR UNIVERSITY Vs. SAMIR GUPTA.**

"19. In Kanpur University v. Samir Gupta, this Court took the view that:

"16.....the key answer should be assumed to be correct unless it is proved to be wrong and that it should not be held to be wrong by an inferential process of reasoning or by a process of rationalization. It must be clearly demonstrated to be wrong, that is to say, it must be such as no reasonable body of men well-versed in the particular subject would regard as correct."

In other words, the onus is on the candidate to clearly demonstrate that the key answer is incorrect and that too without any inferential process or reasoning. The burden on the candidate is therefore rather heavy and the constitutional courts must be extremely cautious in entertaining a plea challenging the correctness of a key answer. To prevent such challenges, this Court recommended a few steps to be taken by the examination authorities and among them are (i) establishing a system of moderation, (ii) avoid any ambiguity in the questions, including those that might be caused by translation; and (iii) prompt decision be taken to exclude the suspect question and no marks be assigned to it.”

The Hon’ble Court further observed as under:-

“30.2. If a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any “inferential process of reasoning or by a process of rationalization” and only in rare or exceptional cases that a material error has been committed.”

12. We have considered the above decision of the Hon’ble Supreme Court in **RAN VIJAY SINGH’s case (supra)** wherein it is observed that exception is carved out directing reevaluation of an answer sheet or scrutiny of an answer sheet and court may permit it only if it is demonstrated very clearly without any inferential process of reasoning or by a process of rationalization and only in rare or exceptional cases that a material error has been committed. However, it is not shown in the present case.

13. In respect of the two text books relied on by the learned counsel for the applicants, we do not have knowledge whether besides these books any other text books can be considered authentic. We are not experts in the subject in Biology so it cannot be considered as an exception. The questions which were pointed out by the learned counsel for the applicants were reproduced and considered at the relevant time when we decided

all the three Original Applications on 24.11.2022. Moreover, we cannot go further and stretch our powers in respect of correcting the answer keys.

14. We rely on the judgment of the Hon'ble High Court in **Writ Petition No. 8882 of 2022, M.P.S.C Vs. Janakraj M. Gund & Ors**, wherein the Hon'ble High Court held:-

“17. In our view principles laid down by the Supreme Court in the case of Ran Vijay Singh and others (supra) clearly apply to the facts of this case though the Tribunal has recorded various findings in favour of the petitioner and has chosen to doubt the correctness of the answer keys given by the experts and has interfered with the decisions taken by the experts by directing the petitioner to appoint another expert who has earlier not seen those questions with the direction to give the correct answers of the said six questions. In our view, the Tribunal could not have gone into the correctness of the answer keys suggested by the experts in their field.”

15. As per the order of the Hon'ble High Court, the link which the M.P.S.C was supposed to be opened for the applicants, was opened yesterday. However, as we have rejected the Original Applications, there is no point for the M.P.S.C in keeping the link open hence forth.

16. In view of the above, Original Application stands dismissed.

**Sd/-**  
**(Medha Gadgil)**  
**Member (A)**

**Sd/-**  
**(Mridula Bhatkar, J.)**  
**Chairperson**

prk