IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO 147 OF 2006

DISTRICT : PUNE

1. Kailas Dhondiba Kale,
   Occ : Service, Residing at
   Walewadi, AT & Post Rajgurunagar,
   Tal-Khed, 410 505.
   Dist-Pune.
2. Maruti Narayan Pawle,
   Residing at Van Udyan, Awsari Ghat
   At & Post : Peth, Tal-Ambegaon,
   Dist-Pune.
3. Baban Bhagaji Dange,
   Residing at & Post : Dhok Sangvi,
   Tal-Shirur, Dist-Pune.
4. Ashok Rakhmaji Borde,
   Residing at & Post Ramling (Shirur)
   Tal-Shirur, Dist-Pune. ...**Applicants**

Versus

1. The State of Maharashtra
   Through the Secretary,
   Forest & Revenue Department,
   Mantralaya, Mumbai 400 032.

2. Chief Conservator of Forest,)
Pune Circle, P.M.T Bldg,)
Swargate, Pune.)
3. Secretary-cum-Controller,)
Divisional Selection Committee/)
cum Deputy Forest Conservator)
Ghod Praklap, Forest Department,)
Junnar, Near Tehsil office,)
At & Post – Junnar 410 502,)
Tal – Junnar, Dist-Pune.)...**Respondents**

None for the Applicant.

Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

CORAM : Shri Rajiv Agarwal (Vice-Chairman)
Shri R.B. Malik (Member) (J)

DATE : 08.02.2016

PER : Shri Rajiv Agarwal (Vice-Chairman)

O R D E R

1. None for the Applicants, though notice was sent to him on 5.1.2016. Heard Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Learned Chief Presenting Officer stated that the present Original Application was filed by the Applicants who

were working in Group 'D' posts as Forest Guards and were seeking appointment as Forest Guards in Group 'C' as provided in G.R dated 31.1.1996. Learned Chief Presenting Officer further stated that other O.As no 123, 124, 125 and 126/2006 were filed in this Tribunal seeking identical reliefs. These O.As were dismissed by order of this Tribunal dated 24.7.2006 which reads:-

> "Thus it is not permissible for this Tribunal to issue any direction in the nature of mandamus to the Respondents to consider their case for upgradation from Grade 'D' to Grade 'C'. The said is not permissible in the present framework of law and the Constitutional system. Thus in our opinion all these applications being devoid of merit are liable to be dismissed and are dismissed with no order as to costs."

3. We find that this Tribunal has dismissed other O.As seeking similar relief as indicated above. This O.A is also dismissed with no order as to costs.

Sd/-
(R.B. Malik)
Member (J)

Sd/-
(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 08.02.2016
Dictation taken by : A.K. Nair.