

MAHARASHTRA ADMINISTRATIVE TRIBUNAL

NAGPUR BENCH NAGPUR

ORIGINAL APPLICATION NO.369/2008.

Vijay Shankarrao Fulzele,
Aged about 46 years, Occ : Service,
R/o Plot No.30, Mangalmurti Nagar,
Arni Road, Wadgaon, Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra
through its Secretary,
Department of Home,
Mantralaya, Mumbai-32.
- 2) The Director General of Police (M.S.),
Shahid Bhagatsingh Marg, Colaba,
Mumbai-1.

Respondents

Shri S.M. Khan, Advocate holding for Shri P.C. Marpakwar,
the learned counsel for the applicant.

Shri A. M. Ghogre, P.O. for respondents.

**Coram:- B. Majumdar, Vice-Chairman and'
R.B. Malik, Member (J)**

Dated: - 20th April 2016.

Oral order

Per: Member (J)

This is an O.A. seeking direction to promote the
applicant as a reserved candidate to the post of Police Wireless
Inspector (Engineering) with deemed date from 2005.

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2. Very detailed statement of facts, in view of a subsequent development is really not necessary. Nature of the claim has already been indicated at the outset.

3. We have heard Shri S.M. Khan, the learned counsel for the applicant and Shri A.M. Ghogre, the learned P.O. for the respondents.

4. It is common ground that pending O.A. the applicant has been promoted as Inspector of Wireless. That in good measure, was the ultimate relief sought by him in the O.A. However, there was an additional prayer for deemed date from 2005.

5. In our opinion, as far as issue of deemed date is concerned, it would not be possible for us in this O.A. to determine that issue. The order of promotion above referred was made in June 2015. There is no warrant to hold that the respondents would leave the applicant dissatisfied in the matter of deemed date. Therefore, the applicant will have to make a proper representation within stipulated time and if he did that, then within a stipulated time limit to be stipulated by us, the respondents will have to take an appropriate decision thereon.



6. It is recorded that the applicant has already been promoted pending this O.A. as Police Wireless Inspector (Engineering) in June 2015. This O.A. is disposed of with directions to both the sides, viz., the applicant should make a representation for deemed date within four weeks from today and in the event, such a representation was made, the respondents shall take a decision thereon within three months of the receipt of the representation and convey their decision to the applicant within a week thereafter.

No order as to costs.

sd/-

(R.B. Malik)
Member (J)

sd/-

(B. Majumdar)
Vice-Chairman

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