

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.710 OF 2016

Mrs. Archana Chandrakiran Sonwane,)
Alias Archana Vinayak Deokar,)
Age : 32 years, Senior Grade Clerk,)
In the office of the Maharashtra Police)
Academy, Trimbak Road, Nashik)
R/at. D-4, Pratap Vihar, AWHO Military)
Quarter, Ambad Link Road, Pawar Nagar)
CIDCO, Nashik 422 009)

...APPLICANT

VERSUS

1. The State of Maharashtra,)
Through the Addl. Chief Secretary,)
Home Department, Mantralaya,)
Mumbai 400 032)
2. The Director General of Police,)
M.S. Shahid Bhagatsing Marg,)
Colaba, Mumbai.)
3. The Additional Director General of)
Police (Training and Special Unit))
M.S. Mumbai.)
4. The Director,)
Maharashtra Police Academy,)
Trimbak Road, Nashik 422 007)

...RESPONDENTS

Mr. S.P. Dighe, learned Advocate for the Applicant

Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Ms. Medha Gadgil (Member) (A)

DATE : **17.04.2023.**

J U D G M E N T

1. This O.A. was heard and disposed of by order dated 14.11.2022. Learned Advocate Mr. Dighe by M.A.No.683/2022 prayed for restoration of O.A. By order dated 12.12.2022, M.A. for restoration of O.A. was allowed.

2. Applicant was appointed as Junior Clerk on 11.10.2005 on compassionate ground in the office of the Maharashtra Police Academy after death of his mother on 04.12.1991. In the year 2015, Applicant appeared for the post of Senior Grade Clerk. She secured 319 marks out of 600 marks, of which in Part I, Paper IV she secured 27 marks out of 100. She prayed for rechecking of the said paper as she was confident that she should have secured more marks. However, the request was refused. Subsequently, her request for revaluation was considered. After revaluation Respondent No.3 found that there is no change in her marks.

3. Learned Advocate submits that Respondent No.3 be directed to recheck Part I, Paper IV, through expert in the Finance and Accounts and if the applicant is found eligible she is to be considered for the post of Head Clerk. Learned Advocate has further submitted that through RTI the applicant obtained model answer sheet and her own answer sheet and question paper and the same is submitted to the court by way of amendment in the O.A.

4. Learned P.O. for the Respondents has submitted that the applicant is promoted to the post of Head Clerk on 02.02.2022 and now she is claiming for deemed w.e.f. 20.05.2015.

5. Heard both the sides. The applicant could not secure passing marks which is 40 marks out of 100 marks. Applicant secured only 27 marks out of 100 marks. No interim relief was passed in the year 2017 and such prayer cannot be entertained now at this stage. This matter was in fact disposed of by order dated 14.11.2022 as it became infructuous. Thereafter the learned Advocate prayed for restoration because he wanted to add the relief. So the matter has again appeared on the board. On the basis of fact that added prayer clauses cannot be granted as the Applicant failed in the examination, the prayer for deemed date stands dismissed.

6. In view of above O.A. stands dismissed.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk