

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.791 OF 2018

(Subject : Continuation in service)

1. Kunal Kulbhushan Sonune)
 2. Sneha Damodar Bhoje)
 3. Rohini Hanumant Salunke)
 4. Anand Suryakant Doiphode)
 5. Nikhil Banduji Laghe)
 6. Shashikant Balu Thube)
 7. Mukund Kautik More)
 8. Avadhoot Sudhakar Idate)
- Both C/o. Scientific Officer, Cyber Crime / Tape)
Working at Directorate of Forensic Science)
Laboratories, Vidyanagari, Hansbhugra Marg,)
Kalina Santacruz Mumbai)

....Applicants.

Versus

1. The Director,)
Directorate of Forensic Science Laboratories,)
Maharashtra State, Home Department,)
Vidyanagri, Hansbhugramarg,)
Kalina Santacruz, Mumbai)
2. The State of Maharashtra,)
Through it Secretary,)
Department of Home,)
Mantralaya, Mumbai.)

....Respondents

Shri M.A. Choudhari with Ms. Kanchan Pawar, the learned Advocates for the Applicants.

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

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

RESERVED ON : 28.11.2018.

PRONOUNCED ON : 14.12.2018

ORDER

1. Heard Shri M.A. Choudhari with Ms. Kanchan Pawar, the learned Advocates for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Perused the record. Facts of present O.A. are replica of the facts as in O.A.No.736 of 2018 with O.A.No.793 of 2018.

3. The pivotal question raised in present O.A. is covered by the averments contained in paragraph no.6(y) which reads read as under:-

*“y) Applicants state and submit that, the Hon’ble High Court, Nagpur Bench by judgment and order dated 19.10.2013 directed Respondents to regularize the services of the Applicants therein and confer permanency of such Applicants who had completed 3 years service with artificial break and thereby partly allowed Writ Petition No.2046/2010, the services of the Applicants who were in continuous employment till 19.10.2013 were continued in service as regular employee for all other purpose except monetary purpose from the date of their first appointment. Annexed hereto and marked as **EXHIBIT ‘H’ COLLY** is the judgment and order dated 19.10.2013 passed by Hon’ble High Court, Nagpur Bench in Wp No.2046/2010 and Wp No.3849/2014 and 8118/2015, passed by High court, Aurangabad bench as well as judgment of Hon’ble supreme court passed in Civil Appeal No.18510/2017 on 13.09.2017.”*

(Quoted from para no.6(y) page no.12 of the O.A.)

4. Tenure of service rendered by the Applicants is as follows :-

(i)	Applicants No.1, 2 & 3	2 years 11 months
(ii)	Applicants No.4 to 8	1 year 11 months

5. The same point was urged in O.A.No.736/2018 with O.A.No.793/2018, and it is decided against applicants in said O.A. after discussion on merits. For the same reasons, as are recorded in judgment and order in O.A.Nos.736/2018 with O.A.No.793/2018 and in O.A.No.517 of 2018, present Original Application has no merit and is dismissed.

6. Interim relief order, if any, is stand vacated.

SD/-

(A.H. Joshi, J.)
Chairman

prk