

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.892 OF 2018

(Subject : Regularisation)

1. Abhijit Arun Jambhale,)
Add. 1 (K) Bapu Nagar, Umrer Road,)
Nagpur 440 024)
 2. Geeta Nivrutti Khutan)
Add. A/P Junnar (Barav))
H P Gas Godown, Near Tulai Bldg.,)
Tal. Junnar Dist. Pune 410 502)
 3. Rahi Nitin Dhiwar)
Add. M1/99, Krishna Society,)
MIG Colony, Near Gajanan Garden,)
Gokhle Nagar, Pune 411 016)
 4. Rupesh Keshao Vihire)
Add. At/ Post Kopara Jankar,)
Tq. Babhulgaon, Dist. Yavatmal 445 101)
 5. Prajakta Subhash Pathe)
Add. At/ Post Kopara Jankar,)
Tq. Add. Qtr. No.B-25,)
Normal School Quarters, Sitabuldi,)
Nagpur 440 012)
 6. Sanjay Sunil Sakharkar)
Add. Vasant Ganga Vihar Near Gorakshan)
Wani, Tal. Wani, Dist. Yavatmal)
 7. Pawar Madhukar Pawar)
Sumadhur Sadan Plot No.10)
Gadakari Nagar Bhusawal,)
Dist. Jalgaon)
-Applicants**

Versus

1. The State of Maharashtra,)
Principal Secretary, Home Department,)
Mantralaya, Mumbai 400 020)
2. The Secretary,)
Department of Home,)
Mantralaya, Mumbai 400 032)

3. The Director,)
 Director of Forensic Science Laboratories,)
 Having office at Home Department,)
 State of Maharashtra, Vidyanagari,)
 Hansbhugramarg, Kalina,)
 Santacruz, Mumbai) **....Respondents**

Shri V.V. Ugale, the learned Advocate for the Applicants.

Ms. S.P. Manchekar, the learned Chief Presenting Officer with Ms. N.G. Gohad, the learned 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 V.V. Ugale, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer with Ms. N.G. Gohad, the learned 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. Tenure of service rendered by the Applicants is as follows:-

(i)	Applicant No.5	3 years 11 months
(i)	Applicants No.1 & 4	2 years 11 months
(ii)	Applicants No.6 & 7	1 year 11 months
(iv)	Applicants No.2 & 3	1 year 9 months

4. The pivotal question raised in present O.A. is covered by the averments contained in paragraph no.6.12 which reads read as under:-

*"6.12 The applicants submit that the respondents after following due process of law the applicants are came to be appointed by the respondents. The applicants submit that in one of the writ petition No.2046 of 2010 the Hon'ble High Court, Nagpur Bench by order dated 19 Oct, 2013 directed to the respondents to regularize the services of the candidates therein and confer permanency of such applicants who had completed three year service with artificial break. Hereto annexed and marked **Exhibit- "G"** is the copy of the order dated 19 Oct, 2013 and order dated 13 Sep, 2017 and order dated 24th Feb, 2015.*

(Quoted from para no.6.12 page no.8 of the O.A.)

5. In view that the same point was urged in O.A.Nos.736 of 2018, and it is decided. While deciding O.A.No.736 of 2018, for the same reasons, as recorded in judgment and order in O.A.Nos.736 of 2018 and O.A.No.793 of 2018, present Original Application is dismissed.

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

Sd/-

(A.H. Joshi, J.)
Chairman

prk