

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**

**ORIGINAL APPLICATION NO.893 OF 2018**

**(Subject : Regularisation)**

1. Niranjan Bajirao Patil )  
Add. Room No.9, S.K. Nivas, )  
Behind Municipal School, )  
Tembipada, Bhandup (W), )  
Mumbai 400 078 )
2. Pravin Vilas Kinge )  
Add. Vardhaman Part 703/3 Mohane )  
Road Shahad (W), Kalyan 421 130 )
3. Subhodh Sudhakar Sawarbandhe )  
Add. 604/G-1, Ganga Lokgram, )  
Kalyan (E) 421 306 )
4. Nayan Ganpat Lingavat )  
Add. B-9, Plot No.17, Ekta Society, )  
Savarkar Nagar, Thane (W) 400 606 )
5. Nilesh Vilas Dhalape, )  
Add. Khanware, Post Narivali )  
Tal. Murbad, Dist. Thane 421 401 )
6. Varsha Vilas Kalbhor )  
Add. 701/5, Kolekalyan Police, )  
Qtrs. Kadamwadi, Vakola, )  
Santacruz (E), Mumbai 400 055 )
7. Ajay Hemraj Kolhatkar, )  
Add. Tukum Ward Kurkheda Road, )  
Desaiganj Wadsa, Dist. Gadchiroli 441 207 )
8. Kirtiraj Padamakar Panchgade )  
Add. Rambhaji Nagar, Basid Giri Hospital, )  
Waghapur Road, Yavatmal 445 001 )
9. Shri Vilas Pitambar Topre, )  
Add. Plot No.110/c, Ramna Maroti Nagar, )  
Near Ishwar Nagar, Nagpur 440 009 )
10. Abhishek Choudhary, )  
Add. C/o. Jayant Choudhari, Near Pimpalkar )  
Tution Classes, Yaswant Nagar, )  
Hinganghat, Dist. Wardha. )

11. Avin Rambhau Rathod )  
Plot No.1407, 'E' Building, )  
No.2 Mala, Chunabhatti, Mumbai 22 )
12. Kuldeep Vasantrya Patil, )  
A/p. Sonwati, Tq. Latur, Dist. Latur )
13. Prashant Maruti Bankar, )  
Flat No.7, Apartment S.No.156, )  
Bijali Nagar, Chinchwad, Pune )
14. Shekhar Dhondu Bangare, )  
Add. Kasara Dumala, Akole Road, )  
Post Chikhali, Tal. Sangmaner )  
Dist. Ahmednagar )
15. Swapnil Abhiminnyu Bansode )  
Add. Swapnil Niwas, TPS Road, )  
Shivaji Nagar, Parali Vaijanath )  
Tal. Parali, Dist. Beed 431 520 )
16. Rishikesh Uddhavrao Aghav )  
Add. Vatsalai Niwas, Mathura Nagar, )  
Jalalpur, Parali Vaijanath )  
Tal. Parali, Dist. Beed 431 515 )
17. Rahul Prakash Karande, )  
Add. 906, 9<sup>th</sup> floor, B9 wing, )  
New Jaifal CHS, Behind Tardev Police Quarters, )  
Mumbai 400 036 )
18. Shrikant Tukaram Fole )  
Add. A/p. Kupti (Kh), )  
Post. Kupti (Bk), Tal. Kinwat, )  
Dist. Nanded 431 803 )

....Applicants.

**Versus**

1. The State of Maharashtra, )  
Through 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, )  
 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 and 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

#### O R D E R

1. Heard Shri Shri V.V. Ugale, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer and 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)	Applicants No.15, 16 & 17	2 years 11 months
(ii)	Applicants No.1 to 14 & 18	1 year 11 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 applicant 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 direction to the respondents to regularize the services of the candidate 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 24<sup>th</sup> Feb, 2015.”

(Quoted from para no.6.12 page no.10 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