

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.898 OF 2018

(Subject : Continuation in service)

1. Satish Sadashiv Kamble )  
Add. At Kekatsindgi, Tal. Jalkot, )  
Dist. Latur – 413 532 )
2. Sudarshan Nitin Admane )  
Add. C-3, Vijay Nagar, Vijay Chowk, )  
Garkheda Parisar, Aurangabad 431 005 )
3. Nikhil Ramesh Rao Walchale, )  
Add. N-9, R-26, Raigad Nagar, )  
H.No.305, CIDCO, Aurangabad )
4. Manoj Vilasrao Kenekar, )  
Add. S/o. Vilasrao Kenekar, )  
M.V.P6. Avhana, Tal Bhokardan, )  
Avnana, Jalna )

....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, )  
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 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.2, 3 & 4	2 years 11 months
(ii)	Applicant No.1	2 years 8 months

4. The pivotal question raised in present O.A. is covered by the averments contained in paragraph no.6.14 which reads read as under:-

“6.14 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.6.14 pages no.7 & 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