**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**MUMBAI**

**ORIGINAL APPLICATION NO.936 OF 2015**

**WITH**

**MISCELLANEOUS APPLICATION NO.91 OF 2016**

**DISTRICT : THANE**

1. Shri Pramod Pandurang Chavan, )
Age 51 years, occ. Nil, )
(Worked as Office Peon in the office of )
below named respondent no.1, )
R/o Room No.406, Building No.7A, )
New MHADA Colony, Malwani, )
Malad (W), Mumbai 400095 )

2. Shri Anil Bajarang Shinde, )
Age 42 years, occ. Nil, )
(Worked as Office Peon in the office of )
below named respondent no.1, )
R/o Room No.5, Shivneri CHS, )
Vijay Nagar, Kalyan (E), District Thane )..Applicants

Versus

1. The District Collector, )
Old Custom House, Mumbai 400001 )

2. The State of Maharashtra, )
Through Principal Secretary, )
General Administration Department, )
Mantralaya, Mumbai 400032 )

3. The State of Maharashtra, )
Through Principal Secretary (Revenue), )
Revenue and Forest Department, )
Mantralaya, Mumbai 400032 )..Respondents

Shri A.V. Bandiwadekar – Advocate for the Applicants
Smt. K.S. Gaikwad – Presenting Officer for the Respondents

CORAM : Shri Rajiv Agarwal, Vice-Chairman
Shri R.B. Malik, Member (J)
DATE : 25th July, 2016
PER : Shri R.B. Malik, Member (J)

**JUDGMENT**

1. The two applicants herein seek benefit of principle of parity and rule enshrined in the doctrine of similarly situated persons to seek exactly the same relief as this Tribunal gave to

the applicants in the fasciculus of OA including OA No.292 of 2014 (Shri Santosh Pandurang Arrabatti & Ors. Versus The State of Maharashtra & Ors.) & OA No.316 of 2014 (Shri Ambadas Hari Gawale & Ors. Versus The State of Maharashtra & Ors.) dated 8.10.2015 whereby this very bench in the case of applicants who were so similarly placed as the present applicants were directed to be considered for regularization in accordance with the observations in the body of the said order within a period of three months therefrom.

2. We have perused the record and proceedings and heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

3. As far as this particular OA is concerned in a short affidavit in reply filed by the District Collector, Mumbai City through one of its Tahsildars is that these applicants are similarly placed as the applicants of the fasciculus of the OAs above referred to and whatever decision would be taken in their case would be made applicable to the present applicants also. In our opinion the only course of action that is now to be adopted is to decide this OA as well in the same lines as we did in the above batch of OAs and we also note the contents of para 6 of the affidavit in reply of Shri Deepak Narayan Jadhav,

Tahsildar and O&M Officer which would take care of all the concerns of the applicants.

4. Having noted the affidavit in reply on behalf of the respondent no.1 referred to in the preceding para with particular reference to para 6 thereof this OA stands disposed off in the same lines as the batch of OAs referred to hereinabove viz. OA No.292 of 2014 & Anr. dated 8.10.2015. The respondents are directed to comply with these directions along with the directions in the matter of OA No.292 of 2014 & Anr. No order as to costs. And since the OA has been disposed off nothing remains in the MA No.91 of 2016 and it is also disposed off with no order as to costs.

Sd/-

**(R.B. Malik)**
**Member (J)**
**25.7.2016**

Sd/-

**(Rajiv Agarwal)**
**Vice-Chairman**
**25.7.2016**

Date : 25th July, 2016

Dictation taken by: S.G. Jawalkar.

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