

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/ 319 /2016  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date : 27 JAN 2016

**ORIGINAL APPLICATION NO. 991 OF 2015.**

1. Shri Sanjay V. Shintre,  
R/at. Quarter No.5, European Police Officers Quarters, Seth Motishaha  
Lane, Opp. Jain Temple, Byculla(E), Mumbai-27.

....**APPLICANT/S.**

**VERSUS**

- 1 The State of Maharashtra, Through  
Additional Chief Secretary, Home  
Dept., Mantralaya, Mumbai-32.
- 2 The D.G. of Police, State of  
Maharashtra, Having office at Old  
Council Hall, M.S., Police H.Q.,  
S.B. Marg, Colaba, Mumbai.

...**RESPONDENT/S**

Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 25<sup>th</sup> day of **January, 2016** has made the following order:-*

APPEARANCE : Shri. R.G. Panchal, Advocate for the Applicant.  
Shri N.K. Rajpurohit, C.P.O. for the Respondents.

CORAM : **HON'BLE SHRI RAJIV AGARWAL, VICE-CHAIRMAN.**  
**HON'BLE SHRI R.B. MALIK, MEMBER (J).**

DATE : **25.01.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

*Handwritten signature* 27/1/16

**Research Officer,  
Maharashtra Administrative Tribunal,  
Mumbai.**

Tribunal's orders

O.A. No.991 of 2015

Heard Shri R.G. Panchal, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. This OA is being disposed off at this stage itself after hearing submissions of Shri Panchal, learned Advocate for the Applicant and Shri Rajpurohit, learned CPO for the Respondents.

3. The applicant at present is serving as Commandant, SRPF, Group-5, Daund, Pune. He is in the rank of Superintendent of Police (non cadre). The dispute arose when it came to forwarding the names of the eligible officers for induction into IPS cadre the name of the applicant was not considered apparently on account of his position in the list of seniority of Dy. SPs.

4. It is now not necessary for us to delve deep into the technical aspect that may not be necessary for the purpose of deciding this OA bearing in mind the actuality and practical aspect of the matter. It seems that the seniority list as in the year 2001 published in 2008 showed the position of the applicant at a place which was not in dispute even by him. In the list of seniority as on 1.1.2002 for which we are informed the provisional seniority list was published in the year 2005 was published in 2011, the name of the applicant was shown below 12 officers. One factual aspect raised by the applicant is that he was not duly informed thereabout in accordance with the rules. That is a disputed fact.

5. We are informed that by the time the matter came to be heard though quite expeditiously from the date the OA was instituted, the list has already been forwarded to the UPSC and Government of India. The GOI notification dated 5.1.2016 is placed before us today not by the respondents but by the applicant.

6. Now in the background of the above discussion it quite clearly appears to us that there is some mistake as far as the applicant's name in the seniority list is concerned. That mistake will have to be corrected at the

