

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO. 1156 OF 2022

(Subject:- Deemed Date of Promotion)

DISTRICT:-NANDED

Shrikant Sahebrao Deshmukh)
Age: 50 years, Occu. Retired Joint Registrar)
Co-operative Societies,)
R/o. Narharnagar, Ring Road behind)
Nursing Palace, Nanded-431605)
Mob. 9422436769) **APPLICANT**

V E R S U S

The State of Maharashtra)
Through: The Principal Secretary,)
Co-operation, Marketing and)
Textile Department Mantralaya,)
Mumbai -400032.) **RESPONDENT**

APPEARANCE : Shri D.T. Devane, learned counsel for
the applicant.
: Shri D.M. Hange, learned Presenting
Officer for the respondent authorities.

CORAM : **Hon'ble Justice Shri V.K. Jadhav, Member (J)**

DATE : **20.03.2024.**

O R A L O R D E R

Heard Shri D.T. Devane, learned counsel for the applicant and Shri D.M. Hange, learned Presenting Officer for the respondent authority finally with consent at admission stage.

2. By way of filing this Original Application the applicant is seeking direction to sole respondent to consider and grant the notional promotion to the applicant on the post of Additional Registrar, Co-operative Societies (Group –A) w.e.f. 05.04.2017 along with consequential benefits attached to the said post.

3. Learned counsel for the applicant submits that the applicant came to be retired on 31.07.2021 on attaining the age of superannuation from the post of Joint Registrar, Co-operative Societies. On 17.06.2022, the applicant has submitted an application to the Government seeking deemed date of promotion on the post of Additional Registrar, Co-operative Societies for the reason that his junior Shri Rasal was promoted on 05.04.2017 by ignoring the seniority of the applicant.

4. Learned Presenting Officer submits that in terms of affidavit in reply filed on behalf of respondent particularly in paragraph No. 7 it is stated that so far as the application submitted by the applicant dated 17.06.2022 seeking deemed date of promotion on the post of Additional Registrar is concerned, the State Government has called the report of

Commissioner and after receipt of report from Commissioner, the Government will take appropriate decision on the said application.

5. Learned counsel for the applicant submits that if the respondent sole is directed to decide the said application/representation dated 17.06.2022 in time bound manner, this Original Application can be disposed of.

6. Learned Presenting Officer submits that if the said application/representation dated 17.06.2022 is still pending, the respondent sole may be directed to decide the same in time bound manner on its own merits.

7. In view of above submissions, the following order is passed:-

ORDER

- (A) The Original Application is partly allowed.
- (B) The respondent sole is directed to decide the application/representation submitted by the applicant dated 17.06.2022, if it is still pending, on it's own merits, as expeditiously

as possible preferably within the period of three months from the date of this order.

- (C) Needless to say that the applicant is at liberty to approach this Tribunal again in case of any adverse order passed by the respondent authority.
- (D) In the circumstances there shall be no order as to costs.
- (E) The Original Application is accordingly disposed of.

MEMBER (J)

Place:-Aurangabad

Date : 20.03.2024

SAS O.A. 1156/2022(S.B.)Deemed Date of Promotion