

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 165 OF 2019

DIST. : PARBHANI

1. **Sonam d/o Digambar Jadhav,**
Age : 23 years, Occu : Education,
R/o At Post Chikalthana, Tq. Sailu,
Dist. Parbhani.
2. **Shambala d/o Apparao Bhalerao,**
Age : 25 years, Occu : Education,
R/o At Post Darephal, Tq. Basmat,
Dist. Hingoli.
3. **Ankita d/o Sunil Dombe,**
Age : 25 years, Occu : Education,
Vikas Nagar, Parbhani,
Tq. & Dist. Parbhani.
4. **Vaishali d/o Anandrao Dhopte,**
Age : 25 years, Occu : Education,
R/o At Pohandul, Tq. Manwat,
Dist. Parbhani.
5. **Supriya d/o Kamalrao Deshpande,**
Age : 32 years, Occu : Education,
R/o Santhyarang Apartment,
Nageshwardi, Aurangabad,
Tq. & Dist. Aurangabad.
6. **Sneha d/o Rajubhau Jadhav,**
Age : 25 years, Occu : Education,
R/o Gajanan Nagar, Parbhani,
Tq. & Dist. Parbhani.
7. **Poonam d/o Digambar Jadhav,**
Age : 24 years, Occu : Education,
R/o Chikalthana, Tq. Sailu,
Dist. Parbhani.
8. **Rajnigandha d/o Vishwambhar Gawande,**
Age : 32 years, Occu : Education,
R/o Vasmat Road, Behind Shankaracharya
Bhagyalaxmi Nagar, Parbhani.

9. **Swati d/o Ramrao Kadam,**
Age : 28 years, Occu : Education,
R/o Kharadwadi, Post Yelam,
Tq. & Dist. Beed.

... **APPLICANTS**

VERSUS

1. **The State of Maharashtra,**
Through the Secretary,
General Administration Department,
Mantralaya, Mumbai – 32.
2. **The Secretary,**
Department of Agriculture,
Co-operation & Farmers Welfare,
Maharashtra State, Mantralaya,
Mumbai-32.
3. **The Secretary,**
Maharashtra Public Service Commission,
5 ½ 4th & 8th Floor, Coopraje Telephone
Corporation Building, Maharshi Karve Road,
Coopraje, Mumbai.

... **RESPONDENTS**

APPEARANCE : Shri Vivek V. Ingle, learned Advocate for
the applicants.

: Shri M.S. Mahajan, learned Chief
Presenting Officer for the respondents.

CORAM : SHRI B.P. PATIL, ACTING CHAIRMAN

DATE : 26th August, 2019

ORAL ORDER

Heard Shri Vivekanand V. Ingle, learned Advocate for the
applicants and Shri M.S. Mahajan, learned Chief Presenting Officer
for the respondents.

2. Learned Chief Presenting Officer has filed affidavit in reply on behalf of respondent No. 3 and the same is taken on record and copy thereof has been served on the learned Advocate for the applicants.

3. The present Original Application has been filed by the applicants seeking following reliefs : -

“B) The results declared by the MPSC on 08.02.2019 in respect of list of qualified candidates for oral interview may kindly be quashed and set aside.

C) The respondent No. 3 MPSC may kindly be directed to declare the results as per guidelines issued in Government Circular dated 16.03.1999 and 13.08.2014 following the proper procedure in respect of horizontal reservation.”

4. Learned Advocate for the applicant has submitted that the applicants were permitted to appear for the oral interview for the post of Taluka Agriculture Officer, Maharashtra Agriculture Services, Group 'B', as well as, Agriculture Officer, Maharashtra Agriculture Services, Group 'B' (Junior) as per the interim relief granted by this Tribunal vide its order dated 02.05.2019. He has submitted that accordingly, the applicants have appeared for the interview. He has further submitted that on the basis of interview conducted by the MPSC the select list has been prepared, but has not been published or acted upon in view of the order passed by

this Tribunal on 02.05.2019. He has submitted that the applicants have no objection to permit the MPSC to act upon the select list for selection of the eligible candidates.

5. Learned Chief Presenting Officer has submitted that the interviews of the candidates called for and the present applicants have been conducted by the MPSC and merit list has been prepared, but it has not been published and recommendation regarding selection has not been made by the MPSC in view of the order passed by this Tribunal on 02.05.2019. He has further submitted that meanwhile the Hon'ble High Court of Judicature of Bombay Bench at Aurangabad has passed the judgment in **W.P. No. 4159/2018 WITH W.P. No. 6578/2018 in case of CHARUSHILA D/O TUKARAM CHAUDHARI & ORS. Vs. THE STATE OF MAHARASHTRA AND OTHERS** on 08TH AUGUST, 2018. He has submitted that the MPSC has prepared select list on the basis of guidelines given by the Hon'ble High Court and, therefore, he prayed to permit the MPSC to proceed further in the recruitment process. He has further submitted that the present OA may be disposed of accordingly.

6. Learned Advocate for the applicant has no objection for dispose of the present OA with the directions to the MPSC to proceed further in the recruitment process as per the directions /

guidelines given by the Hon'ble High Court in the above cited decision.

7. In view of the submissions made by both parties, the O.A. is disposed of as the purpose of filing of the O.A. is served with the directions to the respondent No. 3 viz. MPSC to declare the result of the recruitment process taking into consideration the judgment delivered by the Hon'ble High Court in case of **CHARUSHILA D/O TUKARAM CHAUDHARI & ORS. Vs. THE STATE OF MAHARASHTRA AND OTHERS (W.P. NO. 4159/2018)** on 08TH AUGUST, 2018.

8. Since the Original Application itself has stood disposed of today, nothing survives in the M.A. St. No. 1689/2019 filed by the State and the same also stands disposed of.

There shall be no order as to costs.

ACTING CHAIRMAN