

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD

ORIGINAL APPLICATION NO. 340 OF 2013

DISTRICT : - JALNA.

Kartik S/o Narayan Kadewar,

Age : 25 years, Occu. Service
(as Home Guard), R/o : Nath
Baba Galli, Dhangarpura, Jalna
Dist. Jalna.

.. APPLICANT.

V E R S U S

1. The State of Maharashtra,

(Copy to be served on C.P.O.,
MAT, Bench at Aurangabad).

2. The Superintendent of Police,

Jalna District, Jalna.

.. RESPONDENTS.

APPEARANCE : Ms. Preeti Wankhade, learned
Advocate holding for Shri A.S.
Deshmukh, learned Advocate for the
Applicant.

: Shri V.R. Bhumkar – learned
Presenting Officer for the
respondents.

**CORAM : HON'BLE SHRI RAJIV AGARWAL,
VICE CHAIRMAN (A).**

AND

**: HON'BLE SHRI B.P. PATIL,
MEMBER (J)**

DATE : 15TH FEBRUARY, 2017.

ORAL ORDER**[Per : Hon'ble Shri Rajiv Agarwal, Vice Chairman (A)]**

1. Heard Ms. Preeti Wankhade, learned Advocate holding for Shri A.S. Deshmukh – learned Advocate for the applicant and Shri V.R. Bhumkar – learned Presenting Officer for the respondents.

2. Issue in this Original Application is regarding height of the applicant, who has applied for the selection to post of Police Constable in Jalna District, in the year, 2013. During the physical test his height has measured as 164 cms. He was selected as a Home Guard by District Commandant, Jalna on 16.12.2007 and at that time his height was measured as 165.10 cms (5'5"). He, therefore, claims that he is eligible to be considered for appointment to the post of Police Constable and his candidature cannot be rejected on the ground that his height is less than as per prescribed norms.

3. The learned Advocate for the Applicant drew our attention to the interim order passed by this Tribunal on 16.5.2013, wherein the applicant was given liberty to file an appeal to the next higher authority. Accordingly, the

applicant has made a representation on 18.5.2013 to the Special Inspector General of Police, Aurangabad Region, Aurangabad. This Original Application can, therefore, be disposed of by giving directions to the said authority to take decision on the said representation of the applicant, which is filed on 18.5.2013, within a period of four weeks from today.

4. The Registrar of this Tribunal Bench at Aurangabad is directed to send a copy of this order along with copy of memo of Original Application to the Special Inspector General of Police, Aurangabad Region, Aurangabad, to enable him to take decision in the matter, as directed by this Tribunal.

5. With the above observations and directions, the present Original Application stands disposed of with no order as to costs.

MEMBER (J)

VICE CHAIRMAN (A)