

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 664 OF 2013**

DISTRICT: - AURANGABAD.

1. Mr. Bhagwan S/o. Sheshrao Naik  
Aged - 46 years, Occu: Service,  
R/o : Choudhari Nagar,  
Plot No. M-11, Manthha Road, Jalna,  
District- Jalna.
2. Mr. Dattu Pundlik Mali,  
Aged – 58 years, Occ- Service,  
C/o. Police Superintendent's  
office, Armour Workshop,  
Police Headquarter, Osmanabad.

.. APPLICANTS.

**V E R S U S**

1. The State of Maharashtra  
Through Chief Secretary for State  
of Maharashtra, Madam Kama Road,  
Mantralaya, Mumbai.
2. The State of Maharashtra,  
Through Home Department,  
Mantralaya, Mumbai.
3. The Inspector General,  
Maharashtra State, Police  
Headquarters, Colaba, Mumbai.
4. The Superintendent of Police  
(Armour Department),  
Maharashtra State, Pune  
(Copy of Resp. No. 1 to 5 to be served  
On the office of Govt. Pleader)
5. Mr. Dattatray Dadu Sagar,  
Ex. Nayab Subhedar,  
Armour Police Inspector,

Office of the Superintendent of Police,  
RSPF, Pune.

.. RESPONDENTS

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**APPEARANCE** : Shri U.S. Sawji, learned Advocate  
for the applicant.

: Shri N.U. Yadav – learned  
Presenting Officer for the res. Nos. 1  
to 4.

: Shri Swapnil S. Patunkar, learned  
Advocate for respondent No. 5.

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**CORAM** : **JUSTICE M.T. JOSHI, VICE CHAIRMAN**  
**AND**  
: **SHRI ATUL RAJ CHADHA, MEMBER (A)**

**DATE** : **13<sup>TH</sup> JUNE, 2018.**

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**ORAL ORDER**

1. Heard Shri U.S. Sawji, learned Advocate for the applicant, Shri N.U. Yadav – learned Presenting Officer for the res. Nos. 1 to 4 and Shri Swapnil S. Patunkar, learned Advocate for respondent No. 5.

2. Learned Advocate for the applicant during the course of hearing points out that as the present respondent No. 5 was appointed on the post P.I., he does not wish to claim any relief

against him. In the circumstances, the present O.A. is dismissed as regards the respondent No. 5.

3. Learned Advocate for the applicant, on instructions, submits that the applicant would be satisfied if direction in the nature of prayer clause (B) is given to the concerned respondents regarding the promotions.

4. Upon hearing both the sides, it appears that since the applicant claims that promotion be made as per law, there would be no harm in directing the respondents to act accordingly. In the result the following order: -

### **ORDER**

The present Original Application stands disposed of without any order as to costs.

(ii) The concerned respondents are directed to consider the claim of the present applicant for promotion as per law as and when occasion regarding promotion for the category in which the applicant is serving would arise.

**MEMBER (A)**

**VICE CHAIRMAN**

**PLACE : AURANGABAD.**

**DATE : 13<sup>TH</sup> JUNE, 2018.**

O.A.NO.664-2013(DB)-HDD-2018-Promotion