

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.203 OF 2018**

**(Subject :- Appointment)**

**DISTRICT : AURANGABAD**

**Savita Sambhaji Wandhekar,** )  
Age : 27 years, Occ. Education and Household, )  
R/o. Sai Labh Apartment, Flat No.11, Opp. Benchmark, )  
Nakshtrawadi, Aurangabad, Tq. & Dist. Aurangabad. )...**Applicant**

**V E R S U S**

1. **The State of Maharashtra,** )  
Through its Principal Secretary, )  
Labour Department, Mantralaya, )  
Mumbai-32. )
2. **The Commissioner, State** )  
Employees Insurance Scheme )  
Maharashtra State, 6<sup>th</sup> Floor, )  
Panchdeep Bhavan, M.M. Joshi Marg, )  
Lower Paral, Mumbai -400 013. )
3. **Subhangi Shankar Selokar,** )  
Age : Major, Occu: Service, )  
R/o. Nagbhid, Tq. Nagbhir, )  
Dist. Chandrapur. )...**Respondents**

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**APPEARANCE :- Shri A.A. Nimbalkar, learned Advocate for  
the Applicant.**

**Shri M.P. Gude, the learned Presenting  
Officer for the Respondents.**

**CORAM** : **JUSTICE A.H. JOSHI, CHAIRMAN**

**DATE** : **04.06.2019.**

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**O R D E R**

1. Heard Shri A.A. Nimbalkar, learned Advocate for the Applicant and Shri M.P. Gude, learned Presenting Officer for the Respondents.
2. The Applicant has approached this Tribunal challenging the process of selection commenced by State for the post of Laboratory Assistant under the Respondent No.2.
3. The sole ground on which the selection process is challenged is that 30% reservation for woman is not maintained.
4. What is seen from the record is as follows:-
  - (a) Total 11 posts are advertised.
  - (b) 3 posts are reserved for Woman.
  - (c) In the process of recruitment number of post to be filled in have been reduced to 10.
  - (d) If at all 11 posts had to be filled in, the fraction of 11 posts would be 1.333.
  - (e) If the Applicant's contention is accepted, 11<sup>th</sup> posts would automatically go to reservation for woman.
  - (f) The Applicant has not shown any precedent or policy decision of Government to show that fraction of a seat to a rounded up digit should have been reserved for woman.

5. Learned Advocate for the Applicant failed to show that 11<sup>th</sup> posts should have been reserved for woman, due to any mandatory rule. Moreover, on facts, only 10 posts have been filled in.
6. Considering the abovesaid facts and circumstances, the Original Application has no merit.
7. Hence, the Original Application is dismissed without any order as to costs.

**(A.H. JOSHI)**  
**CHAIRMAN**

**Place:- Aurangabad**

**Date :- 04.06.2019**

SAS. O.A.No.203/2018. Appointment.