

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
NAGPUR BENCH, NAGPUR**

**ORIGINAL APPLICATION NOS 153, 216 & 225/2010**

**DISTRICT : GONDIA**

**1) ORIGINAL APPLICATION NO. 153 OF 2010**

1. Dr Kewalram J. Gahane )
2. Dr Abhay S. Patil )
3. Dr Sanatan N. Gajbhiye )
4. Dr Vivek N. Anantwar )
5. Dr Vijay C. Wankhede )
6. Dr Sanjay G. Ghunjanwar )
7. Dr Niranjana G. Agarwal )...**Applicants**

**Versus**

1. The State of Maharashtra )  
Department of Finance, )  
Mantralaya, Mumbai 400 032 )  
Through its Secretary. )
2. State of Maharashtra, )  
Department of Health, )  
Mantralaya, Mumbai 400 032. )  
Through its Secretary. )

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3. State of Maharashtra, )  
Department of Rural Development )  
& Water Conservation, Mantralaya )  
Mumbai 400 032. )  
Through its Secretary. )
4. Director of Health Services, )  
Maharashtra State, Mumbai. )
5. Zilla Parishad, )  
Gondiya, through its )  
Chief Officer. )...**Respondents**

**2) ORIGINAL APPLICATION NO. 216 OF 2010**

1. Dr Madhav S. Nalode )
2. Dr Suresh R. Mote )
3. Dr Suresh B. Damle )
4. Dr Ashok V. Gahane )
5. Dr Sanjay S. Supare )
6. Dr Dalchand G. Bansod )
7. Dr Yogesh G. Soyam )
8. Dr Praful D. Gore )
9. Dr Leeladhar T. Khobragade )
10. Dr Rajendra N. Gohotre )
11. Dr Ravindra R. Chaudhari )
12. Dr Chakrapani K. Ganvir )
13. Dr Ganesh R. Ladaskar )
14. Dr Sukhdev M. Karewad )
15. Dr Gajanan M. Burande )
16. Dr Vijay R. Kewale )

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17. Dr Kashinath J. Khune )...**Applicants**

**Versus**

1. The State of Maharashtra )  
Through the Secretary, )  
Public Health Department, )  
Mantralaya, Mumbai. )
2. The Director of Health Service )  
Arogya Bhavan, Near CST, )  
Mumbai. )
3. The Dy. Director of Health, )  
Matakacheri Premises, )  
Shraddhanand Peth, Nagpur )
4. The District Health Officer, )  
Gadchiroli. )
6. The Chief Executive Officer, )  
Zilla Parishad, Gadchiroli, )...**Respondents**

**3) ORIGINAL APPLICATION NO. 225 OF 2010**

1. Dr Prashant N. Shrikhande )
2. Dr Prashant C. Vekhande )
3. Dr Ashok J. Tiwari )
4. Dr Bhaurao N. Hajare )
5. Dr Jayashree K. Walke )
6. Dr Dilip V. Kadu )
7. Dr Sunita M. Nimbarte )

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8. Dr Baba M. Mendule )  
 9. Dr Ravindra V. Udupure )  
 10. Dr Gunwant C. Rewatkar )  
 11. Dr Ramesh C. Umale )...**Applicants**

**Versus**

1. The State of Maharashtra )  
 Through the Secretary, )  
 Department of Finance, )  
 Mantralaya, Mumbai. )  
 2. State of Maharashtra, )  
 Department of Health, )  
 Mantralaya, Mumbai-32. )  
 Through its Secretary. )  
 3. Secretary, )  
 Department of Rural )  
 Development and Water )  
 Conservation, Mantralaya, )  
 Mumbai-32. )  
 4. The Director of Health Service )  
 Maharashtra State, )  
 Bombay. )  
 5. Zilla Parishad, )  
 Nagpur, through its Chief )  
 Executive Officer. )...**Respondents**

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Shri N.R Saboo, learned advocate for the Applicants in O.A nos 153 & 225/2010.

Shri M.I Khan, learned Presenting Officer for the Respondents no 1 to 4 in O.A no 153/2010.

Shri A.M. Ghogre, learned P.O for Respondents 1 to 4 in O.A 225/2010.

None for the Applicant in O.A 216/2010.

Shri. V.A Kulkarni, learned P.O for Respondents 1 to 3 in O.A no 216/2010.

None for Respondent no. 4 & 6 in O.A no O.A 216/2010  
None for Respondent no. 5 in O.A no 153 & 225/2010

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**Shri J.D Kulkarni (Member) (J)**

**DATE : 06.01.2017**

**PER : Shri Rajiv Agarwal (Vice-Chairman)**

**ORDER**


1. Heard Shri N.R Saboo, learned advocate for the Applicants in O.A nos 153 & 225/2010., Shri M.I Khan, learned Presenting Officer for the Respondents no 1 to 4 in O.A no 153/2010, Shri A.M. Ghogre, learned P.O for Respondents 1 to 4 in O.A 225/2010, None for the Applicant in O.A 216/2010, Shri. V.A Kulkarni, learned P.O for Respondents 1 to 3 in O.A no 216/2010, None for



Respondent no. 4 & 6 in O.A no O.A 216/2010, None for  
Respondent no. 5 in O.A no 153 & 225/2010

2. These Original Applications were heard together and are being disposed of by a common order as the issues to be decided are identical.

3. Learned Advocate Shri N.R Saboo for the Applicants in O.A nos 153 & 225/2010 argued that the Applicants in these Original Applications are Medical Officers, who are initially employed in Class-III by various Zilla Parishads and were later absorbed in State Service in Group 'B', albeit with a higher pay scale. Learned Advocate Shri Saboo argued that this issue has been decided by judgment dated 11.7.2016 in R.A no 25/2015 in O.A 469/2012 and O.A nos 682/2012 and 879/2015 by the Principal Bench of this Tribunal. It was held by this Tribunal in the aforesaid judgment that by G.R dated 17.10.2014, which includes a list of 869 Medical Officers, who were recruited in District Technical Service, Class-III by various Zilla Parishads, those Medical Officers have been absorbed in State Service in Group 'B' but in the Pay Band of Rs. 9300-34800 + grade pay of Rs. 5400/-. The names of the Applicants in these Original Applicants are also included in the list of 869 Medical Officers and therefore they are entitled to be treated similarly.



4. Learned Presenting Officers admitted that the present Applicants in all the three Original Applications are covered by G.R dated 17.10.2014 and they are entitled to the same reliefs as were granted by aforesaid judgment dated 11.7.2016 by the Principal Bench of this Tribunal.

5. Having regard to the aforesaid facts and circumstances of the case, the Applicants who were recruited in the District Technical Service, Class-III and whose name figures in the list of 869 Medical Officers in the State Service in terms of G.R dated 17.10.2014 are absorbed as Group 'B' Medical Officers in the State Service and are eligible to get pay in the scale of Rs. 8000-13500 in the 5<sup>th</sup> Pay Commission and in the Pay Band of Rs. 9300-34899 + grade pay of Rs. 5400/- in the 6<sup>th</sup> Pay Commission. These Original Applications are accordingly disposed of with no order as to costs.

sd/-

**(J.D Kulkarni)**  
**Member (J)**

sd/-

**(Rajiv Agarwal)**  
**Vice-Chairman**

**Place : Nagpur**

**Date : 06.01.2017**

**Dictation taken by : A.K. Nair.**