

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION NO. 341/2023 (S.B.)

Javed Khan s/o Ahmad Khan,
aged about 45 years, occupation: Nil,
resident of Sardar Master Galli,
Ajim Kirana, Chhaya Nagar, Amravati,
Tahsil and District: Amravati.

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Public Works Department,
Mantralaya, Mumbai.
- 2) The Executive Engineer,
Public Works Department,
Camp Amravati, 444602.
- 3) The Superintending Engineer,
Public Works Circle, Amravati.
- 4) The Collector, Amravati.

Respondents

Shri S.Pande, Ld. Counsel for the applicant.
Shri M.I.Khan, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri M.A.Lovekar, Member (J).

Dated: - 30th October, 2023.

JUDGMENT

Judgment is reserved on 25th October, 2023.

Judgment is pronounced on 30th October, 2023.

Heard Shri S.Pande, learned counsel for the applicant and Shri M.I.Khan, learned P.O. for the respondents.

2. Father of the applicant was working in the respondent department as a labourer. He died in harness on 08.08.2013. On 28.10.2013 the applicant submitted an application (Annexure A-2) for appointment on compassionate ground. As per communication dated 13.11.2013 (Annexure A-3) he furnished necessary documents whereupon proposal for his appointment (Annexure A-4) was forwarded to respondent no.2. His name was entered in the waiting list. However, it was deleted from the said list when he attained the age of 45 years. This was informed to the applicant by the impugned communication dated 24.03.2013 (Annexure A-1).

3. Grievances of the applicant are that his name was kept on the waiting list for 9 years, he was never informed about his changing

position in the waiting list and now his chances of getting employment are bleak.

4. According to respondent nos.2 and 3 when name of the applicant was entered in the waiting list in the year 2013 it was at Sr.No.57 and when he attained the age of 45 years it was at Sr.No.8. This pleading has not been traversed.

5. Respondents 2 and 3 have relied on the G.R. dated 21.09.2017 which states that on attaining the age of 45 years name of such person shall be deleted from the waiting list for appointment on compassionate ground. This being the undisputed position, no relief can be granted to the applicant. The O.A. is accordingly dismissed with no order as to costs.

(M.A.Lovekar)
Member (J)

Dated – 30/10/2023
rsm.

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Raksha Shashikant Mankawde
Court Name : Court of Hon'ble Member (J).
Judgment signed on : 30/10/2023.
and pronounced on : 31/10/2023.