

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 57/2019 with C.A.157/2020(S.B.)**

- 1) Vilas S/o. Laxman Pawar,
Aged about 47years,
R/o. Malegaon, Post Datodi, Tq. Arni,
Distt.Yavatmal.
- 2) Mohan S/o. Govinda Ade,
Aged about 49 years,
R/o. Krushna Nagar, Post. Sawali,
Tq. Arni, Distt. Yavatmal.
- 3) Kailas S/o. Budhaji Kamble,
Aged about 43 years, R/o. Lonbehad,
Tq. Arni, Distt. Yavatmal.
- 4) Uttam S/o. Sambhaji Khadse,
Aged about 49 years, R/o. Lonbehad,
Tq. Arni, Distt. Yavatmal
- 5) Santosh S/o. Shankar Dabadgaon,
Aged about 45 years, R/o. Lonbehad,
Tq. Arni, Distt. Yavatmal.
- 6) Arvind Mahdeo Sarag,
aged 52 yrs, R/O., Post Arni,
Tq. Arni, Dist. Yavatmal.
- 7) Uttam S/o. Pandurang Lade,
Aged about 52 years, R/o. Belora,

Post Savali, Tq. Arni, Distt. Yavatmal.

Applicants.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Revenue & Forest,
Mantralaya, Mumbai -32.
- 2) Principal Chief Conservator
Forest (Administration), "Van
Bhawan" Ramgiri Road, Civil Lines,
Nagpur-440001.
- 3) Chief Conservator of Forest,
(Regional),
Office at Ambedkar Bhavan,
Yavatmal-445001.

Respondents

Shri N.R.Saboo, Ld. counsel for the applicants.
Shri A.M.Ghogre, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.

Dated: - 12th December 2022.

With

ORIGINAL APPLICATION NO. 666/2022 (S.B.)

Vitthal Mahadeo Choudhari,

Aged about 42 years,

R/o. Lohara, Th-Ralegaon,
Dist.- Yavatmal.

Applicants.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Revenue & Forest,
Mantralaya, Mumbai -32.
- 2) Chief Conservator of Forest,
(Regional),
Office at Ambedkar Bhavan,
Yavatmal-445001.

Respondents

Shri N.R.Saboo, Ld. counsel for the applicants.
Shri A.M.Ghogre, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.
Dated: - 12th December 2022.

With

ORIGINAL APPLICATION NO. 150/2021 with C.A.145/2022 (S.B.)

1. Nandu Haribahu Yavatkar,
Aged: 57 yrs, Occu: Nil
R/o. At/Post. Kolmbi, Distt. Yavatmal.

2. Ananta Suresh Thakre,
Aged: 48 yrs, Occu: Nil
R/o. At/Post. Hiwar, Dist. Yavatmal.
3. Bhaurao Premsingh Pawar,
Aged: 57 yrs, Occu: Nil
R/o. At.Post. Barad Tanda, Dist. Yavatmal.
4. Pralhad Shayamgir Giri,
Aged: 49 yrs, Occu: Nil
At. Jawada, Post. Salod, Dist. Yavatmal.
5. Sanjay Arjun Ghodmare **(Dead)**,
Aged : 48 years, Occu : Nil,
R/o. At/post. Nakapardi, Dist.Yavatmal.
5. (a) Smt. Laxmi Sanjay Ghodmare,
(Wife of Deceased)
Age : 38 years, Occ. Housewife.
- (b) Nayan Sanjay Ghodmare,
(Son of Deceased),
Age : 22 years, Occ.Education
Both R/o Datta Mandir, Kolambi
Tq. & Dist. Yavatmal – 445109.
6. Yashvant Mahadeo Bhavare,
Aged: 48 yrs, Occu: Nil
R/o. At/Post. Nakapardi, Distt. Yavatmal.
7. Namdeo Champat Raut,
Aged: 54 yrs, Occu: Nil

R/o. At/Post. Nakapardi, Distt. Yavatmal.

8. Gajanan Savant Pawar,

Aged: 51 yrs, Occu: Nil

R/o. At/Post. Nakapardi, Distt. Yavatmal.

Applicants.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Revenue & Forest,
Mantralaya, Mumbai -32.
- 2) Principal Chief Conservator
Forest (Administration), "Van
Bhawan" Ramgiri Road, Civil Lines,
Nagpur-440001.
- 3) Chief Conservator of Forest,
(Regional),
Office at Ambedkar Bhavan,
Yavatmal-445001.

Respondents

Shri N.R.Saboo, Ld. counsel for the applicants.
Shri A.M.Ghogle, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.

Dated: - 12th December 2022.

With

ORIGINAL APPLICATION NO. 56/2019 with C.A.165/2020 (S.B.)

1. Vijay S/o. Narayan Bhalerao,
Aged about 55 years,
R/o. Shastri Nagar, Arni,
Tq. Arni, Distt.Yavatmal.
2. Vijay S/o. Manikrao Neware,
Aged about 47 years,
R/o. Devi Nagar, Lahora,
Tq. And Distt.Yavatmal.
3. Dadarao S/o. Nagorao Todsam,
Aged about 54 years,
R/o. Post Rani Dhanora,
Tq. Arni, Distt.Yavatmal.
4. Baldev S/o. Pandu Rathod,
Aged about 45 years, R/o. Kaigodal,
Tq. Manora, Distt. Washim.
5. Gautam S/o. Limbaji Ingle,
Aged about 53 years,
R/o. Pimpalner, Tq. Arni,
Distt.Yavatmal.
6. Maroti S/o. Champat Sidam,
Aged about 55 years,
R/o. Anjankhed, Post Selu,
Tq. Arni, Distt.Yavatmal.
7. Ambadas S/o Bhimrao Ade, **(Dead)**

- Aged about 50 years,
R/o. Anjankhed, Post Selu,
Tq. Arni, Dist. Yavatmal.
7. Ankusha s/o Ambadas Ade,
Aged about 50 years,
R/o. Belora, Post Savali,
Tq. Arni, Distt.Yavatmal.
8. Prakash S/o. Bhujangrao Mirase,
Aged about 55 years,
R/o. Anjankhed, Post Selu,
Tq. Arni, Distt.Yavatmal.
9. Kalidas S/o. Dattatraya Gelewar,
Aged about 45 years,
R/o. Lokvan, Tq. Arni, Distt.Yavatmal.
10. Devidas S/o. Reva Chawhan,
Aged about 45 years,
R/o. Sukali, Post Bhansara,
Tq. Arni, Distt.Yavatmal.
11. Mahadev S/o. Keshav Fendar,
Aged about 40 years,
R/o. Bhansara, Tq. Arni, Distt. Yavatmal.
12. Vinod S/o. Domaji Muneshwar,
Aged about 42 years,
R/o. Warud (Bhawan), Bhansara, Tq. Arni,
Distt.Yavatmal.

13. Gautam S/o. Pandurang Lade,
Aged about 55 years,
R/o. Belora, Post Savali,
Tq. Arni, Distt.Yavatmal.
14. Shriram S/o. Gulab Jadhav,
Aged about 45 years,
R/o. Krushnanagar, Post Savali,
Tq. Arni, Distt.Yavatmal.
15. Mahendra S/o. Prabhakarrao Deshpande,
Aged about 45 years,
R/o. Post Arni, Tq. Arni, Distt.Yavatmal.

Applicants.**Versus**

- 1) The State of Maharashtra,
Through its Secretary,
Department of Revenue & Forest,
Mantralaya, Mumbai -32.
- 2) Principal Chief Conservator
Forest (Administration), "Van
Bhawan" Ramgiri Road, Civil Lines,
Nagpur-440001.
- 3) Chief Conservator of Forest,
(Regional),
Office at Ambedkar Bhavan,

Yavatmal-445001.

Respondents

Shri N.R.Saboo, Ld. counsel for the applicants.
Shri A.M.Ghogre, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.
Dated: - 12th December 2022.

With

ORIGINAL APPLICATION NO. 1006/2019 (S.B.)

Thau s/o Lala Rathod,
Aged about 57 years,
R/o Bangaon, Th-Ner,
Dist.- Yavatmal.

Applicants.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Revenue & Forest,
Mantralaya, Mumbai -32.
- 2) Conservator of Forest,
(Territorial),
Yavatmal.

Respondents

Shri N.R.Saboo, Ld. counsel for the applicants.
Shri A.M.Ghogre, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.

Dated: - 12th December 2022.

With

ORIGINAL APPLICATION NO. 222/2020 (S.B.)

Yadav s/o. Laxman Kulmethe,

Aged about 63 years.

R/o Jamb, Tahsil Ghatanji,

Dist. Yavatmal.

Applicants.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Revenue & Forest,
Mantralaya, Mumbai -32.
- 2) Principal Chief Conservator
Forest (Administration), "Van
Bhawan" Ramgiri Road, Civil Lines,
Nagpur-440001.
- 4) Chief Conservator of Forest, (Regional),
Office at Ambedkar Bhavan,

Yavatmal-445001.

Respondents

Shri N.R.Saboo, Ld. counsel for the applicants.
Shri A.M.Ghogre, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.
Dated: - 12th December 2022.

COMMON JUDGMENT

C.A.No.145/2022 in O.A.150/2021

Heard Shri N.R.Saboo, learned counsel for the applicants and
Shri A.M.Ghogre, learned P.O. for the Respondents.

C.A.No.145/2022 is allowed. L.Rs. be brought on record today
itself. Amendment be carried out forthwith.

**O.A.NO.57/2019 with C.A.157/2020, O.A.NO.666/2022, O.A.NO.
150/2021, O.A. NO.56/2019 with C.A.165/2020, O.A. NO.1006/2019
and O.A. NO. 222/2020 are decided by Common Judgment.**

Heard Shri N.R.Saboo, learned counsel for the applicants and
Shri A.M.Ghogre, learned P.O. for the Respondents.

2. In all the O.As. the contention of the applicants in short can be
summarised as under.

All the applicants were working with the respondents as a
Vanmazoor, as per chart given below-

Sr. No.	O.A No.	Name	Sr. No. in the list of 05.10.2004 forwarded by CCF, Yavatmal to PCCF enclosed with communication dated 05.10.2004 which is forwarded to Respondent No.1 (State of Mah.) disclosing their status in column no.7, working on /non-plan.
1.	56/2019	Vijay Narayan Bhalerao	393
2.	56/2019	Vijay Manikrao Neware	313
3.	56/2019	Dadarao Nagorao Todasam	292
4.	56/2019	Baldev Pandu Rathod	295
5.	56/2019	Gautam Limbaji Ingle	286
6.	56/2019	Maroti Champat Sidam	388
7.	56/2019	Ambadas Bhimrao Ade	266
8.	56/2019	Prakash Bhujngrao Mirase	370
9.	56/2019	Kalidas Dattatraya Gelewar	343
10.	56/2019	Devidas Reva Chawhan	368
11.	56/2019	Mahadev Keshav Fendar	413
12.	56/2019	Vinod Domaji Muneshwar	403
13.	56/2019	Gautam Pandurang Lade	342
14.	56/2019	Shriram Gulab Jadhav	282
15.	56/2019	Mahendra Prabhakarrrao Deshpande	412
1.	57/2019	Vilas Laxman Pawar	280
2.	57/2019	Mohan Govinda Ade	301

3.	57/2019	Kailas Budhaji Kamble	336
4.	57/2019	Uttam Sambhaji Khadse	267
5.	57/2019	Santosh Shankar Dabadgaon	385
6.	57/2019	Arvind Mahadev Sarag	421
7.	57/2019	Uttam Pandurang Lade	423
1.	150/2021	Nandu Haribhau Yavatkar	225
2.	150/2021	Ananta Suresh Thakre	299
3.	150/2021	Bhaurao Premsingh Pawar	331
4.	150/2021	Pralhad Shayamgir Giri	332
5.	150/2021	Sanjay Arjun Ghodmare	344
6.	150/2021	Yashvant Mahadeo Bhavare	349
7.	150/2021	Namdeo Champat Raut	352
8.	150/2021	Gajanan Savant Pawar	360
1.	222/2020	Yadav Laxman Kulmethe	646
1.	1006/2019	Thau Lala Rathod	210
1.	1007/2019	Vitthal Mahadeo Choudhari	324

3. Before the issuing of G.R. of 16.10.2012 the information was given by the Government in respect of the Vanmazoors who were not regularised. The Chief Conservator of Forest prepared a list of Vanmazoors and submitted to the Principal Chief Conservator of

Forest. Thereafter, the Government has issued G.R. dated 16.10.2012. As per the G.R. conditions are given. One of the condition is that the Vanmazoors who were working on E.G.S. they are not eligible to get benefit of G.R. and they cannot be regularised. Hence, the services of all the applicants are not regularised as per G.R. dated 16.10.2012. Therefore, all the applicants approached to this Tribunal.

4. All the O.As. are opposed by the respondents on the ground that all the applicants were working on E.G.S. It is submitted that as per the specific conditions mentioned in the G.R. of 16.10.2012, Vanmazoors who were working on the E.G.S. are not eligible for absorption / regularisation. Therefore, the applicants cannot be claimed the benefits of G.R. dated 16.10.2012. Hence, the O.As. are liable to be dismissed.
5. Heard the learned counsel for the applicants. He has pointed out the judgment of this Tribunal passed in the similar matters in O.A.Nos.17, 18, 19/2018. This Tribunal had remanded all the matters with direction to the respondents to verify as to whether the applicants were really working on E.G.S. and opportunity should be given to the applicants and hearing should be given to them before deciding their claims as to whether they were working on the E.G.S. or not.

6. The learned counsel for the applicant has pointed out the list. As per his submission, all the applicants were shown as Vanmazoor. They were not shown working on E.G.S.. The learned counsel for the applicants has submitted that there is a scheme of E.G.S. As per the scheme, list has to be forwarded by the Revenue Authority to the Tahsildar, Department for engagement of work. Nothing is on record to show that the applicants were engaged on E.G.S. Hence, in view of the Judgment of this Tribunal in O.A.Nos.17, 18, 19/2018 dated 09.11.2022, the following order is passed.

ORDER

- 1) The O.As. are partly allowed.
- 2) The respondents are directed to consider the cases of all the applicants / legal heirs carefully and decide as to whether they are entitled for regularization as per G.R. dated 16.10.2012.
- 3) The respondents are directed to make the inquiry as to whether they were working on E.G.S..
- 4) The opportunity be given to all the applicants in the inquiry.
- 5) The respondents are directed to provide the documents of the applicants according to the list forwarded by Tahsildar to provide work to the applicants on E.G.S..

6) The respondents are directed to decide the claim of the applicants
within a period of six months.

7) All the C.As. are also disposed of with no order as to costs.

(Justice M.G.Giratkar)
Vice Chairman

Dated - 12/12/2022

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 Vice Chairman.
Judgment signed on : 12/12/2022.