

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,**

**NAGPUR BENCH, NAGPUR.**

**ORIGINAL APPLICATION NO.698/2015.**

Ghanshyam Jijoba Dharmik,  
Aged about 57 years,  
Occ- Service,  
R/o 25, Suprabhat Apartment,  
Besa Road, Nagpur.

**Applicant.**

**-Versus-**

1. The State of Maharashtra,  
Through its Principal Secretary,  
Department of Water Resources,  
Mantralaya, Mumbai-32.
2. The Chief Engineer,  
Department of Water Resources,  
Civil Lines, Nagpur.
3. The Executive Engineer,  
Irrigation and Hydro-Electric Project  
Investigation Division, Ajni, Nagpur.

**Respondents.**

Shri D.M. Surjuse, Ld. counsel for the applicant.  
Shri M.I. Khan, Ld. P.O. for the respondent No. 1.  
Shri P.V. Thakre, Ld. Advocate for respondent Nos.2 & 3.

**Coram:- B. Majumdar, Vice-Chairman and**  
**S.S. Hingne, Member (J)**

**Dated:- 29<sup>th</sup> March, 2016.**

**Order**

**Per:Member (J)**

O.A. is heard at the stage of admission and is being  
disposed of by this order with the consent of counsel for the parties.

The order dated 3.11.2015 passed by the Chief  
Engineer, Department of Water Resources, Nagpur (R.2) reverting the

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applicant from Sub-Divisional Officer (Civil) to the post of Sectional Engineer is under challenge.

3. The applicant was appointed from ST category as Junior Engineer in 1977. He was promoted as Sub-Divisional Officer (Civil) in 1992. His caste validity certificate was invalidated by the Caste Scrutiny Committee on 26.3.2015.

4. Consequently, the respondents issued several letters to the applicant. But he has not produced any caste certificate. Hence, impugned order came to be passed. The applicant has filed rejoinder and also the caste certificate that he belongs to S.B.C. issued by SDO, which is dated 10.2.2015 (P.38). The certificate is validated by the Caste Scrutiny Committee on 27.1.2016 (P.37). Thus, the applicant is entitled for protection laid down under the various G.Rs dated 15.6.2015 and 30.6.2014, he being appointed and promoted prior to 1995. His promotion is also protected. After filing of the O.A., interim order was operating. Consequently, the O.A. is allowed. The impugned order dated 3.11.2015 is quashed. No order as to costs.

sd/-

(S.S.Hingne)  
Member (J)

sd/-

(B.Majumdar)  
Vice-Chairman