

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION No. 749 of 2018
WITH CIVIL APPLICATION NO.416 of 2022 (S.B.)

Atmaram Deepsingh Pawar,
Aged about 54 years, R/o Dolaridevi,
Post Khopri Bujruk, Tah. Darwaha,
Dist. Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
through its Secretary,
Department of Revenue and Forest,
Mantralaya, Mumbai-32.
- 2) Principal Chief Conservator
Forest (Administration), Van Bhawan,
Ramgiri Road, Civil Lines,
Nagpur-440 001.
- 3) Chief Conservator of Forest (Regional),
Office at Ambedkar Bhavan,
Yavatmal-445 001.

Respondents.

S/Shri N.R. & Mrs. K.N. Saboo, Advocates for the applicant.
Shri S.A. Sainis, learned P.O. for respondents.

WITH
ORIGINAL APPLICATION No. 752 of 2018 (S.B.)

Ashok S/o Babarao Ingole,
Aged about 54 years,
R/o Bhopapur, Post Bhulai,
Tahsil Darwaha, Dist. Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
through its Secretary,
Department of Revenue and Forest,
Mantralaya, Mumbai-32.

- 2) Principal Chief Conservator
Forest (Administration), Van Bhawan,
Ramgiri Road, Civil Lines,
Nagpur-440 001.
- 3) Chief Conservator of Forest (Regional),
Office at Ambedkar Bhavan,
Yavatmal-445 001.

Respondents.

**S/Shri N.R. & Mrs. K.N. Saboo, Advocates for the applicant.
Shri S.A. Sainis, learned P.O. for respondents.**

WITH
ORIGINAL APPLICATION No. 755 of 2018 (S.B.)

Siddharth Dharamaji Bhagat,
Aged about 50 years, R/o near
Ambika Mandir, Van Parishad Office, Darwaha,
Post Darwaha, Tah. Darwaha, Dist. Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
through its Secretary,
Department of Revenue and Forest,
Mantralaya, Mumbai-32.
- 2) Principal Chief Conservator
Forest (Administration), Van Bhawan,
Ramgiri Road, Civil Lines,
Nagpur-440 001.
- 3) Chief Conservator of Forest (Regional),
Office at Ambedkar Bhavan, Yavatmal-445 001.

Respondents.

**S/Shri N.R. & Mrs. K.N. Saboo, Advocates for the applicant.
Shri S.A. Sainis, learned P.O. for respondents.**

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

Dated :- 10/04/2023.

COMMON JUDGMENT

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri S.A. Sainis, learned P.O. for the respondents.

2. In all these O.As., the contention of the applicants that they were working as a Van Mazoor. The Government of Maharashtra has issued the G.R. dated 16/10/2012. As per the contention of the applicants, the information was called by the Government of Maharashtra about Van Mazoors who were working in the Forest Department. List was submitted by the higher authority of the applicants. They were shown in the list, but in the second list their names were not shown. They were wrongly shown as working on EGS. The G.R. dated 16/10/2012 shows that the Van Mazoors who were working on EGS are not entitled for absorption. Hence, the applicants approached to this Tribunal. It is the contention of the applicants that they were not working on EGS, they were working in the regular establishment of the Forest Department and were working as a Van Mazoor, but it was not considered.

3. Heard Shri S.A. Sainis, learned P.O. for the respondents. The O.As. are strongly opposed by the respondents. It is submitted that the G.R. dated 16/10/2012 is very clear. As per this G.R., Van Mazoors who were working on EGS are not entitled for absorption in the regular establishment of the Forest Department. The applicants

were working on EGS, it is shown in the list and therefore they are not absorbed in the regular service as Van Mazoor. Hence, the O.As. are liable to be dismissed.

4. Heard Shri N.R. Saboo, learned counsel for the applicants. He has pointed out the Judgment of this Tribunal in O.A.No.496/2019 with connected matter, decided on 30/11/2022. This Tribunal has directed the respondents to make inquiry as to whether the applicants were working on EGS or not. The specific directions were given by this Tribunal as under –

- “1. *The O.As. are partly allowed.*
2. *The respondents are directed to consider both applicants / legal heirs and carefully decide as to whether they are entitled for regularization as per G.R. dated 06.10.2012.*
3. *The respondents are directed to make inquiry as to whether they were working on E.G.S. or not.*
4. *Opportunity shall be given to both the applicants in the inquiry.*
5. *The respondents are directed to provide the documents to the applicants according to list forwarded by Tahsildar to provide work to the applicants on E.G.S.*
6. *The respondents are directed to decide the claim of applicants within a period of six months.*
7. *No order as to costs.”*

5. In the present O.As., the names of applicants were shown working on EGS and therefore they are not regularised in the Forest Department. As per the contention of the applicants, they never

worked on EGS, they were worked in the Forest Department. Hence, the following order –

ORDER

- (i) The O.As. are partly allowed.
- (ii) The respondents are directed to consider the claim of applicants and carefully decide as to whether they are entitled for regularization as per G.R. dated 16.10.2012.
- (iii) The respondents are directed to make inquiry as to whether they were working on E.G.S. or not.
- (iv) Opportunity shall be given to the applicants in the inquiry.
- (v) The respondents are directed to provide the documents to the applicants according to list forwarded by the authority to provide work to the applicants on E.G.S.
- (vi) The respondents are directed to decide the claim of applicants within a period of six months.
- (vii) The C.A.No.416/2022 is accordingly stands disposed off.
- (viii) No order as to costs.

Dated :- 10/04/2023.

dnk.

(Justice M.G. Giratkar)
Vice Chairman.

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

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 10/04/2023.