

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/4480/2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date :

- 6 DEC 2016

**O.A. Nos. 363,364,365,366,367,368,369,370,371,372,374,375,376 AND
377 OF 2016**

(Sub :- Pay Fixation)

- | | | |
|----|------------------------------|---------------------|
| 1 | Shri Thaksen T. Bankar, | (O.A. No. 363/2016) |
| 2 | Shri Eaknath W. Bagul, | (O.A. No. 364/2016) |
| 3 | Shri Mohan R. Davne, | (O.A. No. 365/2016) |
| 4 | Smt. Pragnya P. Kolabkar, | (O.A. No. 366/2016) |
| 5 | Smt. Jyoti R. Gawde, | (O.A. No. 367/2016) |
| 6 | Smt. Anjali D. Bilaye, | (O.A. No. 368/2016) |
| 7 | Shri Pralhad R. Jadhav, | (O.A. No. 369/2016) |
| 8 | Smt. Seema R. Pednekar, | (O.A. No. 370/2016) |
| 9 | Shri Yeshwant K. Tandel, | (O.A. No. 371/2016) |
| 10 | Smt. Archana P. Kalav, | (O.A. No. 372/2016) |
| 11 | Shri Vinod P. Agrekar, | (O.A. No. 374/2016) |
| 12 | Smt. Prachi S. Rane, | (O.A. No. 375/2016) |
| 13 | Smt. Pramodini M. Dhotre, | (O.A. No. 376/2016) |
| 14 | Smt. Rameshwari R. Nagvekar, | (O.A. No. 377/2016) |

C/o. Shri R.S. Kavle, Advocate for the Applicants.
Add. 304, Pradhanwadi Society, Aarey Road, Near Swagat Hotel, Goregaon (E),
Mumbai-63.

.....**APPLICANT/S.**

VERSUS

- | | | | |
|---|--|---|---|
| 1 | State of Maharashtra, Through
Principal Secretary, Dairy Development
Dept., Mantralaya, Mumbai-32. | 2 | Secretary, Dairy Development Dept.,
Mantralaya, Mumbai-32. |
| 3 | Dairy Development Commissioner,
DDC Office, Khan Abdul Gafarkhan
Marg, Worli, Mumbai-18. | | |

...**RESPONDENT/S**

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 30th day of **November, 2016** has made the following order:-

APPEARANCE : Shri R.S. Kavle, Advocate for the Applicants.
Smt. K.S. Gaikwad, P.O. for the Respondents.
CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER (J).**
DATE : **30.11.2016.**
ORDER : Order Copy Enclosed / Order Copy Over Leaf.

Malik
6/12/2016

**Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.**

**O.A.Nos. 363, 364, 365, 366, 367, 368, 369,
370, 371, 372, 374, 375, 376 & 377 of 2016**

Shri T.T. Bankar & 13 Ors. ... Applicants
V/s.
The State of Mah. & ors. ... Respondents

Heard Shri R.S. Kavle, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned P.O. for the Respondents.

The learned P.O. is being instructed by Shri Wani R.S., Technical Assistant, Dairy Development Commissioner, Mumbai.

In so far as the facts and the facts of issue are concerned, there is a G.R. issued on 7.10.2016 which for all practical purposes takes care of ultimate decision of these Original Applications. The same is taken on record. Further and more importantly the Division Bench of the **Hon'ble Chief Justice in deciding State of Maharashtra V/s. Smt Meena A. Kuwalekar & Other, dated 20.4.2016** have laid down the principles applicable to the facts such as they are in deciding a batch of original applications. Leading one being the O.A.No.732/2011 & Ors, by common judgment of 8.6.2016, I am relying upon **Meena Kuwalekar (Supra)**, granted relief in the following terms :-

"24. The Respondents in this fasciculus of OAs are directed to reconsider the case of all the Applicants herein in the matter of grant of Time Bound Promotion / Assured Career Progression Scheme by counting the services of the Applicants from the date of their initial appointments in whichever capacity and take the steps consequent thereupon so as to extend the benefit of this judgment based on **Meena Kuwalekar's** case. The authorities shall bear in mind the principles laid down in **Meena Kuwalekar's** case and also in this OA. Compliance be made within eight weeks from today. A copy hereof be forwarded to the Chief Secretary, Government of Maharashtra with a request to comply with directions in Paragraph 22 of this Judgment. These Original Applications stand allowed to this extent with no order as to costs."

In view of the forgoing, these Original Applications are disposed of in terms of the judgment of the Hon'ble High Court in **Meena Kuwalekar's** case and para 24 of my judgment quoted here in above.

The respondents are directed to act in accordance with their G.R. dated 7.10.2016 and the mandate of the Hon'ble Division Bench of the Hon'ble High Court and this Tribunal above referred to within three months from today.

These Original Applications are disposed of in these terms with no order as to cost.

(Signature)
(R.B. Malik)
Member (J)
30.11.2016

30-11-16

DATE: 30/11/16

CORAM:

~~Hon'ble Shri. RAHVAGARWAL~~
~~(Vice-Chairman)~~

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. R. S. Kavale

Advocate for the Applicant

Shri/Smt. K. S. Gaikwad

C.P.O./P.O. for the Respondents

Adj. to O.A.s case

disposed of

TRUE COPY
(Signature)
6/12/2016

Asstt. Registrar/Research Officer
Maharashtra Administrative Tribunal
Mumbai.

VSM