

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO.83 OF 2015

(OA No.133/2014 – Aurangabad)

DISTRICT : LATUR

Smt. Jivanrekha Venkatrao Jamdhade)
Age 30 years, occ. Housewife,)
R/at Mantri Nagar, At Latur, Tq. District Latur,)
Permanent R/o Rahuri Nivas, Sindhkhed Raja,)
Tal. Sindhkhed Raja, District Buldhana)..Applicant

Versus

1. Maharashtra Public Service Commission,)
Bank of India Building, 3rd Floor, MG Road,)
Hutatma Chowk, Mumbai-1)
2. The Commissioner for Transport,)
Maharashtra State Road Transport Corporation,)
Administrative Building, 4th Floor, Govt. Colony,)
Bandra (East), Mumbai 400051)
3. Dy. Commissioner for Transport,)
Maharashtra State Road Transport Corporation,)
Administrative Building, 4th Floor, Govt. Colony,)
Bandra (East), Mumbai 400051)..Respondents

Ms. Purva Pradhan holding for

Shri D.B. Khaire – Advocate for the Applicant

Smt. Archana B.K. – Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
Smt. Medha Gadgil, Member (A)
DATE : 28th February, 2023
PER : Smt. Justice Mridula Bhatkar, Chairperson

J U D G M E N T

1. The applicant is challenging the order dated 25.10.2013 issued by respondent no.3 rejecting the candidature of the applicant for the post of Assistant Motor Vehicles Inspector on the ground that applicant is not fulfilling the requirement of one years experience as full time employee for repairs of heavy motor vehicles.

2. Ld. Advocate for the applicant submits that respondent no.1 has issued advertisement dated 27.5.2011 for filling up 116 posts of Assistant Motor Vehicles Inspector. The applicant has applied for the same under OBC (Female) category as 10 posts were reserved. Ld. Advocate for the applicant relied on the certificate dated 20.1.2013 issued by Somnath Motor Garage, Aurangabad. Ld. Advocate submits that applicant was working in Somnath Motor Garage from 1.9.2006 to 1.10.2007. Ld. Advocate submits that thereafter recommendation list was published on 30.5.2012 and the applicant was placed at Sr. No.108. After this the respondents called some documents from Somnath Motor Garage on 5.10.2012 and the documents were submitted on 30.10.2012. Thereafter show cause notice was issued to the applicant on 11.1.2013 and applicant replied on 25.1.2013 and to the reply she annexed fresh certificate of Somnath Motor Garage dated 20.1.2013. Ld. Advocate submits that in the said certificate it was clarified that applicant was working as Full time employee and it was wrongly mentioned in attendance muster as Trainee and she has also done repair works of heavy vehicles.

3. Ld. PO submits that the last date of submission of the application form was 16.6.2011 and applied on 16.6.2011. Ld. PO relies on undated certificate which is at page 37 of OA issued by Somnath Motor Garage. Ld. PO further pointed out clause 4.5 of the advertisement regarding experience. She submits that apart from requirement of one year full time employee having experience for repairs and maintenance of heavy vehicles the garage should also be registered as small scale industries with the Directorate of Industries or should have the annual turnover shall be 3 to 5 lakhs.

4. On perusal of undated certificate it is revealed that the said garage has mentioned the period of one year during which the applicant was working as Mechanical Engineer and she has the good skills of maintenance of engine, suspension system, brake assembly etc. of vehicles. In the order this particular fact regarding registration of garage or turnover is not mentioned, hence we do not consider it. Apart from turnover or registration we are only concerned with the reason of rejection given in the impugned order by the respondents and it appears that applicant did not submit the requisite certificate and so also de facto the applicant was not qualified as full time employee. Hence, the said order of rejection is justified. We find no merit in the OA and the same deserves to be dismissed.

5. Original Application is dismissed. No order as to costs.

Sd/-

(Medha Gadgil)
Member (A)
28.2.2023

Sd/-

(Mridula Bhatkar, J.)
Chairperson
28.2.2023

Dictation taken by: S.G. Jawalkar.