

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

**TRANSFER APPLICATION NO 48 OF 1993
(WRIT PETITION NO. 2445 OF 1990)**

DISTRICT : MUMBAI

- | | | |
|----|---|-----------------------|
| 1. | Shri Sharad Ankush Salgaonkar |) |
| 2. | S.N Raut, |) |
| 3. | E.B Jambale |) |
| 4. | S.B Soundale [As per order dated
22.6.2018, abated |)
) |
| 5. | M.A Wajid. |) |
| 6. | H.G Suryavanshi |) |
| 7. | A.V Ahivale |) |
| 8. | Y.B Valvi |) |
| | Occ : Service, having address at |) |
| | Building no. 11-A/3350, Abhyudaya |) |
| | Nagar, Kalachowki, |) |
| | Mumbai 400 033. |)... Applicant |

Versus

- | | | |
|----|--------------------------------------|-------------------------|
| 1. | The State of Maharashtra |) |
| | Secretary, Revenue Department, |) |
| | Mantralaya, Mumbai 400 032. |) |
| 2. | The Collector of Bombay, |) |
| | Old Custom House, Main Building, |) |
| | 3 rd floor, Fort, Mumbai. |) |
| 3. | The Secretary, |) |
| | General Administration Department, |) |
| | Maharashtra, Mantralaya, |) |
| | Mumbai. |)... Respondents |

Shri J.H Ramugade, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Shri Justice A.H Joshi (Chairman)**
Shri P.N Dixit (Member) (A)

DATE : **22.10.2018**

PER : **Shri Justice A.H Joshi (Chairman)**

ORDER

1. Heard Shri J.H Ramugade, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Original Application proceeds in admitted background as follows:-
 - (a) During pendency of T.A, applicants were been protected.
 - (b) Way back in 1994, the Government has issued orders for giving to the applicants permanency.
 - (c) Applicants were even promoted to higher posts.
 - (d) Few amongst applicants have even attained age of superannuation and have already retired.
3. Applicants now claim benefit of seniority from the date of first appointment and deemed date as to promotional post.
4. Learned Advocate for applicants concedes to the position that due to pendency of T.A, applicants have not agitated the question of seniority, which they propose to do by making suitable representation before competent authority.
5. In view of the foregoing, applicants shall have to represent before competent authority empowered to decide issue of seniority.

6. It is hoped that in case any such representation is made, and a case is made out the representation shall be decided in accordance with law.

7. T.A is disposed of with foregoing observation.

**Sd/-
(P.N Dixit)
Member (A)**

**Sd/-
(A.H. Joshi, J.)
Chairman**

**Place : Mumbai
Date : 22.10.2018
Dictation taken by : A.K. Nair.**