

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

DISTRICT : LATUR

ORIGINAL APPLICATION NO.185/2014

Dr. Smt. Shobha Parshuram Arya,
Age : 57, Occ : Service,,
R/o. Ram Nagar, Behind ICICI Bank,
Latur, District Latur.

...APPLICANT

V E R S U S

- 1) The State of Maharashtra,
M.S., Mantralaya, Mumbai-32.
- 2) The Director,
Technical Education Directorate,
Maharashtra State, Mumbai.
- 3) The Joint Director,
Technical Education,
Division Aurangabad.
- 4) The Purnamal Lahoti Government
Polytechnic College, AUSA Road, Latur,
Through its Principal.

...RESPONDENTS

APPEARANCE : Shri A.V.Patil-Indrale learned Advocate for the
Applicant.

Smt. Deepali Deshpande learned Presenting
Officer for the respondents.

CORAM: Hon'ble Shri Rajiv Agarwal, Vice-Chairman and
Hon'ble Shri J.D.Kulkarni, Member (J)

DATE: **20st October, 2016.**

ORAL ORDER**[PER: VICE-CHAIRMAN]**

Heard learned Advocate Shri A.V.Patil-Indrale for the Applicant and Smt. Deepali Deshpande learned Presenting Officer for the Respondents.

2. This O.A. can be disposed of at this stage without hearing parties at length. Applicant has been appointed as a Lecturer in Chemistry in the year 1986. Short point involved in the O.A. is the date from which the Applicant is eligible to be considered for grant of selection grade as a Lecturer in Polytechnic by virtue of Ph.D. degree which she had acquired in 1983. Learned Advocate for the Applicant contended that the Applicant was not granted selection grade in 1996 though she was entitled to the same. After 5 years of appointment in 1986, she was given senior scale as she was holding Ph.D. degree. However, selection grade was not given to her in 1996, 5 years after grant of senior scale, because her ACRs were below par. Learned Advocate for the Applicant stated that adverse remarks in her ACRs were not communicated to the Applicant in time. When the adverse remarks in ACRs were communicated to her in 2010, she made representation against the adverse entries in the ACRs of 1991 onwards. However, no decision has been taken in that regard.

3. Learned P.O. drew our attention to affidavit in reply to the amended paragraph by respondent nos.1 to 4 dated 23rd November, 2015. It is stated in paragraph 1 that the Applicant will get a chance to send representation regarding her previous Annual Confidential Reports to modify those as per the procedure laid down by the G.R. dated 13th February, 2014 and appropriate decision will be taken by the Government.

4. Learned Advocate Shri A.V.Patil-Indrale submitted that for the ACRs for 5 years i.e. from 1991-1992 to 1995-1996, the Applicant has made representation against the adverse entries which are pending before the respondents.

5. This O.A., is therefore, disposed of with direction to the respondents to take decision regarding representation of the applicant against adverse entries in the ACRs from 1991-1992 to 1995-1996 within a period of 2 months from the date of this order. On the basis of revised entries in ACRs, if any, respondents may take further action to examine the case of the applicant whether she can be considered for grant of selection grade from a date earlier than 2001. This should be done within a further period of 2 months. There shall be no order as to costs.

(J. D. Kulkarni)
MEMBER (J)

(Rajiv Agarwal)
Vice-Chairman