

BEFORE THE MAHARASHTRA STATE ADMINISTRATION
TRIBUNAL, MUMBAI BENCH

CONTEMPT APPLICATION NO. _____ OF 2025
IN
ORIGINAL APPLICATION NO.264 OF 2025
BETWEEN

SHRI. VIKAS VITTHAL NIKAM

Applicant

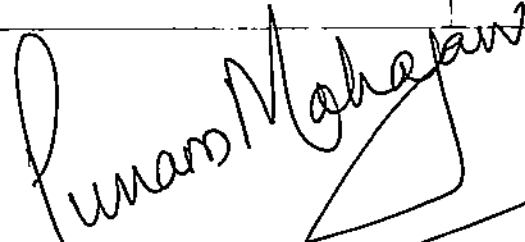
V/S.

DR. RAJESHKUMAR (IAS)
AND OTHERS

Respondents

I N D E X

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ADVOCATE FOR THE APPLICANT
(PUNAM MAHAJAN)

PLACE : PUNE
DATED : 30/04/2024

**BEFORE THE MAHARASHTRA STATE ADMINISTRATION
TRIBUNAL, MUMBAI BENCH**

30 APR 2025

CONTEMPT APPLICATION NO. _____ OF 2025

IN

ORIGINAL APPLICATION NO.264 OF 2025

BETWEEN

SHRI. VIKAS VITTHAL NIKAM

Applicant

V/S.

DR. RAJESHKUMAR (IAS)

AND OTHERS

Respondents

1) DETAILS OF THE APPLICATION :

PARTICULARS OF THE APPLICANT

Shri. Vikas Vitthal Nikam

Age 28 Years.

Residing address: - At post Savargaon,

Tal yeola, Dist. Nashik - 423401

Mob No. 8087718268

E-mail: 143vikasnikam@gmail.com

Applicant

2) **PARTICULARS OF THE RESPONDENT**

1. Shri. Rajeshkumar (IAS),
Principal Secretary,
Revenue and Forest Department,
Mantralaya,
Mumbai – 400 032.
2. Shri. Pravin Kumar (IAS),
Divisional Commissioner
Nashik Division,
Government Colony,
Nashik - 422101
3. Shri. Jalaj Sharma,
District Collector,
Establishment Branch, Old Agra Rd,
Police Staff Colony,
Nashik – 422002

Respondents

**3) PARTICULARS OF THE ORDER AGAINST WHICH
THE APPLICATION IS MADE :**

DATED :

BEARING NO. :

SUBJECT IN BRIEF :

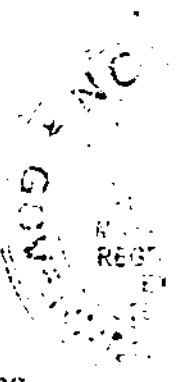
The Applicant herein has filed this Contempt Application as the Respondent has not complied with the order of this Hon'ble Tribunal passed in O.A. No. 264 of 2025 dated 11/03/2025.

4) JURISDICTION OF THE TRIBUNAL

The Applicant declares that the subject matter of the order against which he wants the redressal is within the jurisdiction of the Tribunal.

5) LIMITATION

The Applicant further declares that the application is within the limitation period prescribed under the Contempt of Court Act.



6) **FACTS OF THE CASE :-**

(a) The Applicant had filed O.A. No. 264 of 2025 seeking a direction to fill the vacant posts in the ongoing recruitment process of Talathi (Group-C) Nashik Division as per Advertisement No. 45/2023 dated 26/06/2023.

(b) The Hon'ble Tribunal was pleased to allow O.A. No. 264 by order dated 11/03/2025. The operative part of the order is reproduced hereinbelow—

CORAM : Mridula Bhatkar (J) (Chairperson),
A.M.Kulkarni (Member) (J)

DATE : 11/03/2025

“...

5. Learned P.O. has submitted that the Government by communication dated 10/03/2025 has extended the date of duration of select list by six months i.e. till 13/09/2025 on account of number of requests

mentioned in the said letter. She has submitted that the said letter is issued to all the Division Commissioners and the Collectors.

6. We note that as the Government itself has extended the period of wait list as per letter dated 10/03/2025 (Copy whereof is taken on record and marked as Exhibit -I), we are confident that the Respondents in the present O.A. will also adopt the same policy as Pune District and call the candidates by implementing the Circular, taking into account merit and also maintaining reservations.

7. With the above directions, as nothing remains in this matter, O.A. stands disposed of. If the applicant has any further grievance he has liberty to approach this Tribunal.

... ”

Copy of the judgment and order passed in O.A. No.264 of 2025 dated 11/03/2025 is annexed and marked as 'Annexure C-1'.

(c) The applicant submitted a representation dated 24/03/2025 to Respondent No. 3, communicating the Hon'ble Tribunal's order dated 11/03/2025 and requesting compliance with the directions issued by the Hon'ble Tribunal. Copy of the representation dated 24/03/2025 is annexed and marked as 'Annexure C-2'.

(d) The Respondent was served a contempt notice by hand to Respondent No.1 on 16/04/2025, Respondent No.2 on 15/04/2025 and Respondent No.3 on 15/04/2025 as well as by mail on 15/04/2025 respectively. Copy of the contempt notice along with acknowledgements are collectively annexed and marked as 'Annexure C-3'.

(e) The Applicant is compelled by the contemptuous act of the Respondents to file the Contempt Petition. Respondent have

willfully disobeyed the judgment and order of this Hon'ble Tribunal. As per the directions of this Hon'ble Tribunal the order was to be complied by Respondents, 1 month and 18 days elapsed, yet the order of Hon'ble Tribunal is not complied with. The Respondents have not called the Applicants other candidates eventhough the wait list has been extended by the letter dated 10/03/2025. There are at least 20-23 posts lying vacant.

(f) The Applicant submits that the Pune Talathi District Selection Committee has recently taken a decision to fill all the vacant posts in the Talathi Recruitment 2023 process by extending the waiting list, thereby providing an opportunity to the next eligible candidates based on merit. In light of this decision, the Applicant respectfully requests that the Nashik District Selection Committee showed follow a similar procedure and take appropriate action to fill all the 173 vacant Talathi posts in the Talathi Recruitment 2023 process.

The Applicant further submits that a representation has already been submitted to Respondent No. 3 on 03/03/2025 requesting the extension of the waiting list and filling of all the vacant posts of Talathi as per the advertisement.

Copy of the representation submitted to Respondent no. 3 on 03/03/2025 is annexed and marked as **Annexure C4**.

(g) The Applicant submits that strict action should be taken against the Respondent for deliberately disobeying and not complying with the judgment and order dated 11/03/2025 passed by this Hon'ble Tribunal in O.A. No.264 of 2025.

Hence this Contempt Petition.

7) DETAILS OF THE REMEDIES EXHAUSTED

The Applicant says that there is no statutory remedy available to the Applicant, under the Service Rules. Therefore,

except this application, there is no other alternative and efficacious remedy available to the Applicant herein.

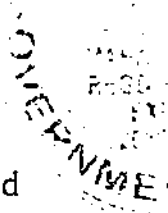
8) MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT :

The Applicant further declares that he has not previously filed any application regarding the matter in except those which are mentioned in this contempt application in respect of this application been made before any court of law or any other authority or any bench of Tribunal.

9) RELIEF SOUGHT

In view of the facts mentioned in paragraphs above Applicant pray for the following relief :


- a) That this Hon'ble Tribunal be pleased to take contempt action against the Respondent for not complying with the order dated 11/03/2025 passed by this Hon'ble Tribunal in O.A. No.264 of 2025.



b) That such other order be passed as justice and convenience may demand from time to time in favour of the Applicant.

c) That the cost be awarded to the Applicant.

10) LIST OF ENCLOSURES: AS PER THE INDEX ABOVE.


(ADVOCATE FOR THE APPLICANT)
(PUNAM MAHAJAN)

PLACE : PUNE
DATED : 30/04/2025

30 APR 2025

VERIFICATION

I, Shri. Vikas Vitthal Nikam, Age - 28 Years, Residing at-

At Post Savargaon, Taluka Yeola, District Nashik - 423401,

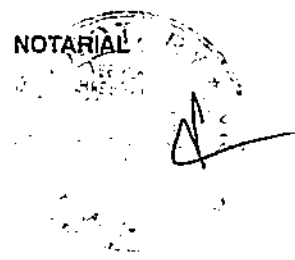
Applicant do hereby verify that the contents of above paragraphs of the contempt application are true to my personal knowledge and are believed to be true on legal advice and that I have not suppressed any material facts.



NOTARIAL

[Signature]
V.V. Nikam

SIGNATURE OF THE APPLICANT



NOTARIAL

[Signature]
(ADVOCATE FOR THE APPLICANT)
(PUNAM MAHAJAN)

PUNE
DATE: 30/04/2025

BEFORE ME

[Signature]

VEERENDRA S. PATHI
NOTARY GOVT OF INDIA
SARVADAWAN, PUNE MAHARASHTRA
REGD NO 283/2025

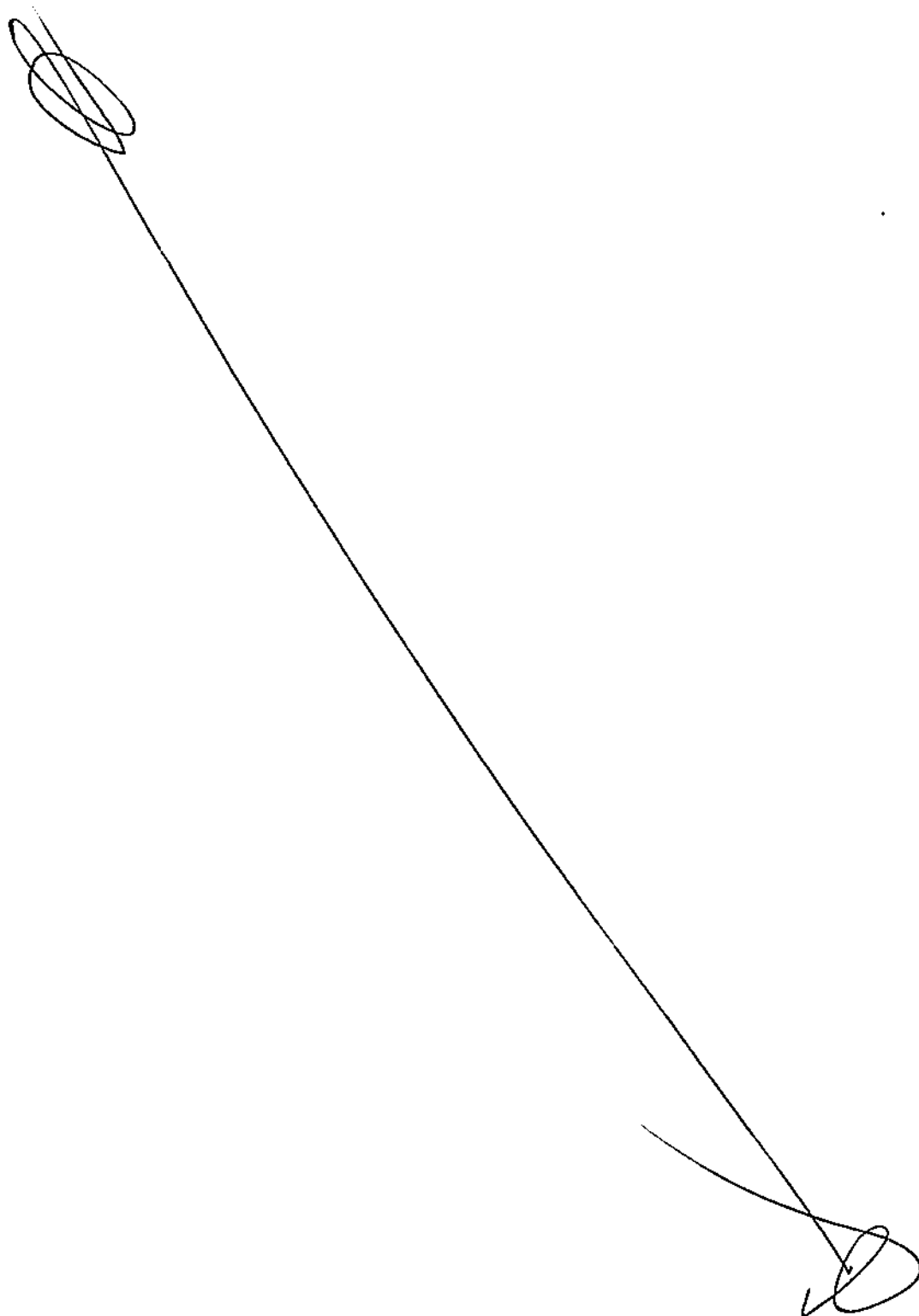
NOTARIAL



NOTARY PUBLIC REGISTERED AT
283/2025

30 APR 2025

283
2025



ANNEXURE - C1

12

18/03/25

Office of the Member (A) in Charge
Appellate Jurisdiction
Nashik District

Date: 11.03.2025

O.A.No.264/2025
Tribunal's orders

V. Nikam

Applicant

Vs.

The State of Maharashtra & Ors Respondents

1. Ms. Purnani Mahajan, learned Counsel for the Applicant and Ms. K.S. Garkwad, learned Presenting Officer for the Respondents are present.

2. Applicant prays that Respondents be directed to fill in the vacant post of Talathi on the basis of merit, by extending the waiting list in Nashik District and issue appointment order of the applicant on the basis of merit with all consequential service benefits within a period of one month from the date of the order. Applicant prays to hold and declare that the merit list will not lapse on 14.03.2025 and will continue to operate till all the advertised posts are filled in as per the merit list dated 14.03.2024.

3. Learned Counsel has submitted that pursuant to the Advertisement No.45/2023 dated 26.06.2023 for the post of Talathi the applicant appeared for the said examination and secured 18968764 in WL-OBC Gen. The wait list and select list was published for Group-C, Talathi post on 11.03.2024, so it will lapse on 13.09.2025. Learned Counsel has submitted that the wait list is also consumed and still 10% posts of Talathi are vacant. Learned Counsel thus has submitted that the Government should issue further extended wait list.

4. Learned Counsel has submitted that the Applicant has participated in the recruitment process in Nashik District. However, in the recruitment process in Pune District by publication dated 27.02.2025, has asked the candidates, as per merit, after the wait list is published, to remain present for document verification. She prays that same procedure is to be followed in Nashik District.

5. Learned P.O. has submitted that the Government's communication dated 10.03.2025 has extended the date of duration of select list by six months i.e. till 13.09.2025 on account of number of requests mentioned in the said letter. She has submitted that the said letter is issued to all the Divisional Commissioners and the Collectors.

6. We note that as the Government itself has extended the period of wait list as per letter dated 10.03.2025 (copy whereof is taken on record and marked as Exhibit-1), we are confident that the Respondents in the present O.A. will also adopt the same policy as Pune District and call the candidates by implementing the Circular, taking into account merit and also maintaining reservations.

7. With above directions, as nothing remains in this matter, O.A. stands disposed of. If the applicant has any further grievance he has liberty to approach this Tribunal.

(A.M. Kulkarni)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

Mridula
21/3/2025

प्रति

तपाठी जिल्हा निवड समिती अध्यक्ष
नाशिक

विषय - 11 मार्च 2025 रोजी महाराष्ट्र प्रशासकीय न्यायाधिक
सुंबई ने दिलेल्या निर्णया नुसार नाशिक तपाठी प्रतिका यादी
पुढे Extend करून कार्यवाही करण्याबाबत

महोदय,

नाशिक तपाठी करती 2023 मधील प्रतिका यादी संपल्यामुळे
173 तपाठी पदापैकी काही जागा रिक्त राहिल्या आहेत.
रिक्त जागा भरण्यासाठी प्रतिका यादी पुढे Extend करावी,
खुणवतेनुसार पुढील उमेदवारांना संघी द्यावी, भर पक्की राक
महिन्यात पूर्ण करावी, असा आदेश महाराष्ट्र प्रशासकीय
न्यायाधिकरण, सुंबई ने 11 मार्च 2025 रोजी दिला आहे.

महाराष्ट्र प्रशासकीय न्यायाधिकरणाने दिलेल्या
निर्णयानुसार नाशिक तपाठी निवड समितीने रिक्त जागा
भरण्यासाठी पुणे जिल्ह्याप्रमाणे प्रतिका यादी Extend करून
रिक्त जागा भराव्या, ही विनंती.

अदर अर्जबरोबर MAT, सुंबई ची Original
Certified copy जोडली आहे, याची दखल घ्यावी.

आपला विश्वासू
V.V. Nikam
Shikhar

24/03/2025
लिपिक
आदक / जावक
जिल्हाधिकारी कार्यालय, नाशिक

PUNAM MAHAJAN

B.S.L., LL.M., D.T.L., D.L.L.

ADVOCATE HIGH COURT AND MAT

ANNEXURE-- 14
C3

Office : 303, Kalpavriksha, 100 Riverside D P Road, Off. Mhatre Bridge, Residence : 502 Sujal, 100 Riverside D.P. Road, Off Mhatre Bridge,
Opposite Gharkul Lawns, Patwardhan Baug, Patwardhan Baug, Opposite Shubharambh Lawns.
Pune - 411052 Contact : 020 - 79601031 | + 91 9422008510 Pune - 411052 Contact : + 91 9822603741

Email : advocatepunammahajan@gmail.com

DM
98/7/25
To.

Date : 11/04/2025

Shri. Rajeshkumar (IAS),
Principal Secretary,
Revenue and Forest Department,
Mantralaya,
Mumbai -400032
Email- psec.revenue@maharashtra.gov.in

PERSONAL NOTICE OF CONTEMPT

SUBJECT: - O. A. NO.264 OF 2025

SHRI. VIKAS VITTHAL NIKAM

V/S.

STATE OF MAHARASHTRA & OTHERS

Sir,

This is to inform you that, my client had filed O.A. No264 of 2025 before the Mumbai Bench of Hon'ble M.A.T., is seeking a direction to fill the vacant posts in the ongoing recruitment process of Talathi (Group-C) Nashik Division as per Advertisement No. 45/2023 dated 26/06/2023.

The Hon'ble Tribunal was pleased to disposed of the Original Application by the order dated. The relevant portion of the order is as under :

CORAM : Mridula Bhatkar (J.)(Chairperson),

A.M.Kulkarni (Member)(J)

DATE : 11/03/2025

"...

5. Learned P.O. has submitted that the Government by communication dated 10/03/2025 has extended the date of duration of select list by six months i.e. till 13/09/2025 on account of number of requests mentioned in the said letter. She has submitted that the said letter is issued to all the Division Commissioners and the Collectors.

6. We note that as the Government itself has extended the period of wait list as per letter dated 10/03/2025 (Copy whereof is taken on record and marked as Exhibit -I), we are confident that the Respondents in the present O.A. will also adopt the same policy as Pune District and call the candidates by implementing the Circular, taking into account merit and also maintaining reservations.

..."


Copy of the order passed in O.A. No.264 of 2025, dated 11/03/2025 is enclosed herewith, for your perusal.

1. The order in O.A No.264 of 2025 of the Hon'ble Tribunal was communicated to the respective office by my client by the letter dated 24/03/2025 and requested to do as per Hon'ble Tribunal's order and to

fill the vacant posts by preparing a waitlist, similar to the procedure followed in Pune district.

2. The order of the Hon'ble Tribunal was to be complied with forthwith. However, a period of 19 days has elapsed, and the said order has still not been complied with.
3. The Order of Hon'ble Tribunal has been intentionally flouted. It is therefore brought to your notice that the order of the Hon'ble Tribunal has been violated and the same be complied forthwith, failing which my client will have to take recourse to contempt proceedings.

You may kindly take note of the same.


PUNAM MAHAJAN
(ADVOCATE)

Encl :- 1) Order dated 11/03/2025, passed in O.A. No.264/2025
2) Representation dated 24/03/2025

PUNAM MAHAJAN

B.S.L., LL.M., D.T.L., D.L.L.

ADVOCATE HIGH COURT AND MAT

Office : 303, Kalpavriksha, 100 Riverside D P Road, Off Mhatre Bridge, Residence : 502 Sujal, 100 Riverside D P. Road, Off Mhatre Bridge,
Opposite Gharkul Lawns, Patwardhan Baug, Patwardhan Baug, Opposite Shubharambh Lawns.
Pune - 411052 Contact : 020 - 79601031 | + 91 9422008510 Pune - 411052 Contact : + 91 9822603741

Email : advocatepunammahajan@gmail.com

Date : 14/04/2025

To,
Shri. Pravin Gadam (IAS),
Divisional Commissioner,
Nashik Division,
Government Colony,
Nashik -422101
Email- divcom.nashik@maharashtra.gov.in

PERSONAL NOTICE OF CONTEMPT

SUBJECT: - O. A. NO.264 OF 2025

SHRI. VIKAS VITTHAL NIKAM

V/S.

STATE OF MAHARASHTRA & OTHERS

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CORAM : Mridula Bhatkar (J.)(Chairperson),

A.M.Kulkarni (Member)(J)

:11/03/2025

80

15.4.25

DATE

नाशिक, 15-4-2025

"...

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1. The order in O.A No.264 of 2025 of the Hon'ble Tribunal was communicated to the respective office by my client by the letter dated 24/03/2025 and requested to do as per Hon'ble Tribunal's order and to

followed in Pune district. Copy of the representation dated 24/03/2025 is enclosed herewith, for your perusal.

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3. The Order of Hon'ble Tribunal has been intentionally flouted. It is therefore brought to your notice that the order of the Hon'ble Tribunal has been violated and the same be complied forthwith, failing which my client will have to take recourse to contempt proceedings.

You may kindly take note of the same.


PUNAM MAHAJAN
(ADVOCATE)

Encl :- 1) Order dated 11/03/2025, passed in O.A. No.264/2025.
2) Representation dated 24/03/2025

PUNAM MAHAJAN

B.S.L., LL.M., D.T.L., D.L.L.

ADVOCATE HIGH COURT AND MAT

20³

Office : 303, Kalpavriksha, 100, Riverside D.P. Road, Off Mhatre Bridge, Residence : 502 Sujal, 100, Riverside D.P. Road, Off Mhatre Bridge,
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Pune - 411052. Contact : 020 - 79601031 | + 91 9422008510 Pune - 411052. Contact : + 91 9822603741

Email : advocatepunammahajan@gmail.com

Date : 14/04/2025

To,
Shri. Jalaj Sharma,
District Collector,
Establishment Branch, Old Agra Road,
Police Staff Colony,
Nashik - 422002
Email- collector.nashik@maharashtra.gov.in

PERSONAL NOTICE OF CONTEMPT

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SHRI. VIKAS VITTHAL NIKAM

V/S.

STATE OF MAHARASHTRA & OTHERS

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A.M.Kulkarni (Member)(J)

DATE : 11/03/2025

15/04/2025
लिपीक
आदक / जावक
जिल्हामधिकारी कार्यालय, नाशिक

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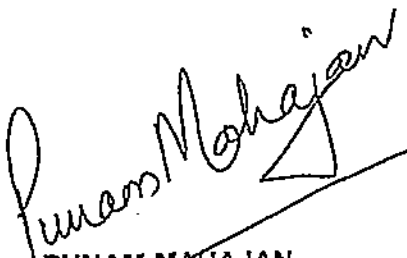
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You may kindly take note of the same.


PUNAM MAHAJAN
(ADVOCATE)

Encl :- 1) Order dated 11/03/2025, passed in O.A. No.264/2025
2) Representation dated 24/03/2025



Punam Mahajan <advocatepunammahajan@gmail.com>

Contempt Notice in O.A. No.264 of 2025 (Shri. Vikas V. Nikam vs State of Maharashtra & Ors.)

1 message

Punam Mahajan <advocatepunammahajan@gmail.com>
To: divcom.nashik@maharashtra.gov.in

Tue, Apr 15, 2025 at 11:44 AM

To.
Shri. Pravin Gadam (IAS),
Divisional Commissioner,
Nashik Division,
Nashik

Subject : O.A. No. 264 of 2025

BETWEEN

SHRI. VIKAS VITTHAL NIKAM

APPLICANT

VIS.

STATE OF MAHARASHTRA AND OTHERS

RESPONDENTS

Sir,


Please find the contempt notice in O.A. No.264 of 2025 in the attachment below. You are requested to kindly take note of the same and do the needful

Thanking You,

PUNAM MAHAJAN

ADVOCATE

Contempt notice of Respondent No.2_0001.pdf
93K

 Gmail

Punam Mahajan <advocatepunammahajan@gmail.com>

Contempt Notice in O.A. No.264 of 2025 (Shri. Vikas V. Nikam vs State of Maharashtra & Ors.)

1 message

Punam Mahajan <advocatepunammahajan@gmail.com>

Tue, Apr 15, 2025 at 11:44 AM

To: collector.nashik@maharashtra.gov.in

To,

Shri. Jalaj Sharma,

District Collector,

Nashik

Subject : O.A. No. 264 of 2025**BETWEEN****SHRI. VIKAS VITTHAL NIKAM****APPLICANT****V/S.****STATE OF MAHARASHTRA AND OTHERS****RESPONDENTS**

Sir,

Please find the contempt notice in O.A. No.264 of 2025 in the attachment below. You are requested to kindly take note of the same and do the needful.

Thanking You.

PUNAM MAHAJAN**ADVOCATE**Contempt notice of Respondent No.3_0001.pdf
94K



Punam Mahajan <advocatepunammahajan@gmail.com>

Contempt Notice in O.A. No.264 of 2025 (Shri. Vikas V. Nikam vs State of Maharashtra & Ors.)

1 message

Punam Mahajan <advocatepunammahajan@gmail.com>
To: psec.revenue@maharashtra.gov.in

Tue, Apr 15, 2025 at 11:44 AM

To,
Shri. Rajeshkumar (IAS),
Principal Secretary,
Revenue and Forest Department

Subject : O.A. No. 264 of 2025

BETWEEN**SHRI. VIKAS VITTHAL NIKAM****APPLICANT****V/S.****STATE OF MAHARASHTRA AND OTHERS****RESPONDENTS**

Sir,

Please find the contempt notice in O.A. No.264 of 2025 in the attachment below. You are requested to kindly take note of the same and do the needful.

Thanking You.

PUNAM MAHAJAN**ADVOCATE**

 Contempt notice of Respondent No.1_0001.pdf
92K

ANNEXURE - C4

પ્રતિ જિલ્લા નિવડ સમિતી અધ્યક્ષ,
નાશિક જિલ્લા

વિષય :- પુણે તથા ઠાં જિલ્લા નિવડ સમિતી બુકબંધ પ્રમાણે
જાણિક જિલ્લા તથા ઠાં સરકારી 2023 મહીમા સંપૂર્ણ રિવત્ત જાગા
0.3/03/23 સરકારી
માનનીય અધ્યક્ષ મહેદય,

પુણે તથા ઠાં જિલ્લા નિવડ સમિતીને બુકબંધ
દેતવેલા નિર્ણયબુકબંધ તથા પદક્ષતી 2023 મહીમા સંપૂર્ણ રિવત્ત જાગા
સરકારી પ્રતિક્ષા યદી પુણે Extend કરવું બુકબંધબુકબંધ પુણે
સમેદવર્ગના સંશી દિલી

નાશિક નિવડ સમિતીને તથા પદક્ષતી 2023
મહીમા સંપૂર્ણ રિવત્ત જાગા સરકારી પુણે નિવડ સમિતી પ્રમાણે
કાર્યવાહી કરવું 173 તથા પદક્ષતી સંપૂર્ણ જાગા સરકારી
રિવત્તી,

0.3/03/23
લિલીક
આવક જાવક
જિલ્લાધિકારી કાર્યાલય, નાશિક

રિવત્તી -

① નાશિક તથા ઠાં સરકારી 2023 મહીમા સંપૂર્ણ રિવત્ત જાગા
સરકારી C 173 તથા પદક્ષતી 173 જાગા સરકારી

② પ્રતિક્ષા યદીતિલ્ય સુબ્યા પુણેથી Waiting List પુણે Extend
કરવું બુકબંધબુકબંધ પુણે સમેદવર્ગના સંશી દાવી

③ પ્રતિક્ષા યદીતિલ્ય વ્યાખ્યાન પૂર્ણ જાગા સરકારી રિવત્તી
દાવી