

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION NO. 1202/2022 (D.B.)

Shri Kamalkishor Narendra Dhekane,
Aged about 36 years, Occ. Nil,
R/o At & Post Tamsi,
Tq. & Dist. Washim.

Applicant.

Versus

1. The State of Maharashtra,
through Secretary of Home Department,
Mumbai.
2. Director General of Police,
Maharashtra State,
Shahid Bhagatsingh Marg,
Culaba, Mumbai.
3. Special Inspector General of Police,
Amravati Region, Near Malltekdi,
Camp Road, Amravati – 444 602.
4. Superintendent of Police,
Washim, Dist. Washim.
5. Shri Swapnil Marotrao Waghade,
Backal No. 758,
Police Mukhalaya,
Washim – 444 505.

Respondents

Shri V.K.Paliwal, Id. Advocate for the applicant.

Shri A.M.Khadatkar, Id. P.O. for the respondents 1 to 4.

Shri R.N.Ghuge, Id. counsel for the respondent no. 5.

**Coram :- Hon'ble Shri Justice Vinay Joshi, Member (J) &
Hon'ble Shri Nitin Gadre, Member (A)**

Dated :- 25.03.2025.

ORAL JUDGMENT

[Per :- Justice Vinay Joshi, Member (J)]

Heard finally with the consent of all learned counsel.

2. The applicant has participated in the recruitment process for the post of Police Constable in S.B.C. Category. The applicant has cleared the written test by securing 152 marks in the recruitment of the year 2013. It is applicant's contention that respondent no. 5 i.e. Swapnil Marotrao Waghade though not applied in S.B.C. Category, however, he was selected in said category. The applicant would submit that he being waitlisted candidate in S.B.C. Category, he ought to have been selected in place of respondent no. 5 in S.B.C. Category.

3. The entire thrust of the applicant is on the information obtained under R.T.I. Act. The applicant has procured the list of candidates who have applied in S.B.C. Category. The Public Information Officer in reply dated 13.04.2022 provided a list of 13 candidates who have applied in S.B.C. Category. The said list contains name of the applicant; however, it does not figure the name of respondent no. 5 i.e. Swapnil Marotrao Waghade and, therefore, the challenge.

4. The ld. P.O. as well as ld. counsel for the respondent no. 5 would submit that respondent no. 5 Swapnil Marotrao Waghade has applied in S.B.C. Category and has secured more marks i.e. 173 marks and thus his selection is proper. To substantiate said contention, respondents have filed copy of online application form as well as verification sheet showing that respondent no. 5 has applied in S.B.C. Category. Since photocopies of these documents have been produced on record, it is not possible for to act on the information supplied under R.T.I. Act. It appears that the Public Information Officer has supplied incorrect information under R.T.I. act. The applicant may take appropriate steps as permissible under law. It is clear that respondent no. 5 has applied in S.B.C. Category and secured more marks than applicant. In the circumstances, there is no merit in the challenge.

5. In view of that, **Original Application is dismissed** with no order as to costs.

(Nitin Gadre)
Member(A)

aps

Dated – 25/03/2025

(Justice Vinay Joshi)
Member (J)

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Member (J)
& Hon'ble Member (A).

Judgment signed : 25/03/2025.

on and pronounced on