

MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
NAGPUR BENCH, NAGPUR

ORIGINAL APPLICATION NO. 1280/2023 (D.B.)

Nilesh S/o Pundlikrao Ganjare,
Aged about 35 years, Occ- Service
R/o- 103, Neelgagan-3 Apartment,
Chankya Puram Road, Hudkeshwar, Nagpur.

....**Applicant**

Versus

- 1) The State of Maharashtra,
Through its Secretary Department
of Revenue. Mantralaya, Mumbai-32
- 2) Divisional Commissioner, Nagpur,
Division Nagpur,
- 3) Collector, Nagpur.
- 4) Ram Mohan Yerle,
presently posted as
Aval Karkun, Office of Tahsil Saoner,
Distt. Nagpur.

...**Respondents**

Shri. N.R. Saboo, Advocate for the Applicant.

Shri V.A. Kulkarni, P.O. for the respondents.

Shri C. Deopujari, Advocate for the respondent No. 4.

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

Dated :- 26.03.2025.

JUDGEMENT

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri V.A. Kulkarni, learned P.O. for the respondents. Adv. C. Deopujari for respondent No. 4.

2. It is the applicant's grievance that though at the time of initial joining respondent No. 4 Mr. Ram Mohan Yerle, was junior he was promoted earlier on the basis of incorrect seniority list submitted to the D.P.C. by the department. The applicant would submit that he was selected in Group- D post through competitive examination. Respondent No.4 was also selected in the same process and in the selection list applicant was above the respondent No. 4. Since the date of joining was considered by the Department, respondent No. 4 was promoted earlier. In view of said position the applicant has made two representations dated 26.07.2022 and 29.12.2022 to the Collector for granting him deemed date of promotion as per Respondent No. 4. Since the Collector did not take decision, the applicant has made representation to the Divisional Commissioner. In response Divisional Commissioner vide communications dated 03.01.2022 directed Collector to consider applicant's grievances

in term of prevailing rules, regularization and to take appropriate decision as well as report the compliance.

3. It is submitted that despite such a direction, the Collector is sitting over applicant's representation about grant deemed date of promotion. The applicant would submits that if he would get deemed date of promotion then he is also entitled for other consequential benefits like seniority and other issue.

4. In view of above we direct respondent No. 3 the Collector Nagpur to take appropriate decision in accordance with law regarding the proposal / representation dated 26.07.2022 and 29.12.2022 filed by the applicant. The Collector shall take decision within four weeks from the date of uploading of this order. In case the applicant's representation is allowed, then the applicant would be entitled for all consequential benefits of seniority. All contention raised in this application are kept open. In view of above direction the application stands **disposed** of.

Member (A)

kds.

Member (J)

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

Name of Steno : Krushna Dilip Singadkar

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

Judgment signed on : 26/03/2025