

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD.

ORIGINAL APPLICATION NO. 717/2012

DIST.: OSMANABAD

Smt. Jyashree Ravan Sonkavade,
Age: Major, Occu. Service,
R/o Balaji Nagar, Behind Dal Mill
At post Tq. Umarga, Dist. Osmanabad.

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APPLICANT

V E R S U S

1. The State of Maharashtra,
(copy to be served through
Government Pleader,
M.A.T. Aurangabad)
2. The Secretary,
Social Justice Department,
Maharashtra State,
Mantralaya, Mumbai.
3. The Commissioner,
Social Welfare Commissionerate,
Maharashtra State, Pune-1.
4. L.I. Waghmare,
Age Major, Occu. Service,
Working as a Deputy
Director, Planning,
Directorate of Social welfare
Pune 3, Church Road, Pune.
5. S.B. Kamble,
District Handicap Rehabilitation
Officer, Handicap Rehabilitation
Centre, Virar, Dist. Thane.
6. Shri Y.S. More,
Deputy Commissioner/
Member Caste Scrutiny Committee,
No. 2 Ratnagiri.

7. Shri. R. D. Atram,
Deputy commissioner/
Member Caste Scrutiny Committee
No.2 Nagpur.

-- **RESPONDENTS**

APPEARANCE : Shri A.J. Talhar, learned Advocate for
the Applicant.

: Shri I.S. Thorat, Learned Presenting Officer for
the Respondents.

**CORAM: HON'BLE SHRI RAJIV AGARWAL, VICE CHAIRMAN (A)
AND
HON'BLE SHRI J.D. KULKARNI, MEMBER (J)**

DATE : 23.09.2016.

ORAL ORDER

[Per- Hon'ble Shri Rajiv Agarwal, Vice-Chairman (A)]

Heard Shri A.J. Talhar – learned Advocate for the Applicant
and Shri I.S. Thorat – learned Presenting Officer for the respondents.

2. As the M.A. No. 717/2012, stands allowed by today's order
and this O.A. is restored to its original file. Hence, the O.A. is taken up
for order on merits.

3. Learned Advocate for the Applicant stated that this O.A.
has been filed seeking direction to the Respondents to prepare seniority
list of the Group "A" posts in the Department of Social Justice at an
early date. The same has since been done by the respondents, and the
final seniority list has been published on 02.06.2014. Learned

Advocate for the applicant stated that the applicant's prayer for deemed dated of promotion however remains.

4. Learned Presenting Officer stated that the applicant has to first make a representation to the respondents about deemed dated of promotion based on the final seniority list. At present, this prayer is premature.

5. It appears from amended Clause-D of the Prayer Clause, that representation regarding deemed date of promotion has been submitted by the applicant to the Respondents. However, if that representation was made before the finalization of the seniority list, it may not be help the applicant at this stage. The applicant therefore, if he so desires, may make a fresh representation based on final seniority list for deemed date of promotion. In case the said representation is filed by the applicant within one month from the date of this order, the respondents shall take decision on the same within a further period of three months and communicate the decision taken on the representation to the applicant in writing.

5. With these observations and directions, the O.A. stands disposed of with no order as to costs.

MEMBER (J)

Kpb/ O. A. No 717 of 2012 Agarwal 2016

VICE CHAIRMAN (A)