

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/3408 /2016
 Maharashtra Administrative Tribunal
 Pay & Accounts Barrack Nos.3 & 4,
 Free Press Journal Marg,
 Nariman Point, Mumbai 400 021.

Date :

19 SEP 2016

ORIGINAL APPLICATION NO. 381 OF 2016.**(Sub :- Promotion)**

- 1 *Shri Sunder M. Jadhav,
 R/o. Shyam Sunder Midra Nagar, Beed, Dist. Beed-431 122.

...APPLICANT/S.**VERSUS**

1. The State of Maharashtra, Through its Secretary, Revenue & Forest Dept., M.S., Mantralaya, Mumbai-32.
2. The Inspector General of Registration & Controller of Stamps, M.S., Pune. New Admin. Bldg., Ground Floor, Opp. Council Hall, Pune.

...RESPONDENT/S

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 08th day of September, 2016 has made the following order:-

APPEARANCE : Shri M.D. Lonkar, Advocate for the Applicant.
 Shri K.B. Bhise, P.O. for the Respondents.

CORAM : **HON'BLE SHRI RAJIV AGARWAL, VICE-CHAIRMAN.**
HON'BLE SHRI R.B. MALIK, MEMBER (J).

DATE : **08.09.2016.**

ORDER : This OA can be finally disposed of at this stage itself on indisputable facts.

We have heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

It is an admitted position that in the list, copy whereof is annexed at Page 14 of the Paper Book, Shri V.P. Boralkar whose name appeared at Serial No.15 from Open category has declined to accept the promotion. We are not going to enter into the details of each name of the personnel but ex-facie, it would appear that his name is at Serial No.12 in the select list. Of Open category candidates. All that he is asking for in this OA is to give directions to the Respondents to give the promotion to the next eligible person in view of Mr. Boralkar's refusal to accept the direction. We can find nothing objectionable much less even illegal or irregular in giving the necessary directions. It is, therefore, directed that the Respondents shall within a period of eight weeks from today act in the matter arising out of the refusal of Shri Boralkar to accept the promotional post and give it to the next eligible person, who is already been found fit by the DPC and if the next eligible person is the Applicant, so be it. The OA is allowed in these terms with no order as to costs.

Sd/-
(R.B. Malik)
Member (J)

Sd/-
(Rajiv Agarwal)
Vice-Chairman.

Masal
 17/9/2016
Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.