

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.96 OF 2014

DISTRICT : PUNE

1. Mrs. Sarika Ashish Chaudhari.)
Clerk-cum-Typist, Office of Food Grain)
Distribution Officer, Pune, Collector)
Office, Pune and residing at Survey No.)
78+80+81+76/4, Flat No.904, Sai Sayaji)
Darshan, Behind Cosmos Bank, Bharati)
Vidyapeeth, Katraj, Pune – 411 046.)

2. Smt. Fatima Haji Choudhari.)
Senior Clerk, Office of Divisional)
Commissioner, Pune, District Pune and)
Residing at Government Quarters,)
Bungalow No.5, “H” Building, Room No.9,))
Yerawada, Pune – 411 006.)...**Applicants**

Versus

1. The Government of Maharashtra.)
Through the Secretary,)
Revenue & Forest Department,)
Mantralaya, Mumbai - 400 032.)

2. Divisional Commissioner.)
Pune Council Hall, Pune 411 001.)

3. The Collector.)
District : Pune.)...**Respondents**

Mr. M.D. Lonkar, Advocate for Applicants.

Ms. S. Suryawanshi, Presenting Officer for Respondents.

PER : SHRI B.P. PATIL (MEMBER-J)
SHRI P.N. DIXIT (MEMBER-A)

DATE : 07.02.2018

PER : SHRI B.P. PATIL (MEMBER-J)

J U D G M E N T

1. The learned Advocate for the Applicants has submitted that, during pendency of the O.A, the Respondent No.3 has prepared new seniority list in the cadre of Clerk-cum-Typists eligible for the promotion to the post of Awal Karkun. The provisional seniority list has been published by the Respondent No.3 on 2nd December, 2017 calling the objections from the persons aggrieved, if any. He has submitted that, on finalization of the seniority list, the Applicants are entitled to claim consequential benefits. He has submitted that, since the Respondent No.3 has prepared the provisional seniority list, the purpose of filing the O.A. is satisfied with. He has submitted that, in view of this, the O.A. may be disposed of with liberty to the Applicant to make representation claiming consequential benefits, if required, after publication of the final seniority list and also proposed to direct the Respondent No.2 to publish final seniority list within three months from the date of this order.

3. The learned P.O. has submitted that, by giving the reasonable time to the Respondent No.3 to publish the final

seniority list, necessary orders may be passed and O.A. may be disposed of.

4. The Respondent No.3 has published the provisional seniority list of the Clerks eligible for promotion on the post of Awal Karkun on 2nd December, 2017. Now, the Respondent No.3 has to publish the final seniority list after considering the grievances of the persons aggrieved by the provisional seniority list. On publication of the final seniority list, the Applicant has right to make representation to the Respondents for claiming consequential benefits.

5. In these circumstances, it is just to dispose of the O.A. with the direction to the Respondent No.3 to publish the final seniority list after considering the grievances of the aggrieved employees, if any, within three months from the date of this order and with liberty to Applicant to approach the Respondents claiming consequential benefits on publication of the final seniority list. The O.A. stands disposed of accordingly with no order as to costs.

Sd/-

(P.N. Dixit)
Member-A
07.02.2018

Sd/-

(B.P. Patil)
Member-J
07.02.2018

Mumbai

Date : 07.02.2018

Dictation taken by :

S.K. Wamanse.