

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL****NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO.912/2020(S.B.)**

1. Arun S/o Namdeorao Fadnavis,  
Aged 59 yrs.; Occ.: Service,  
R/o 84, Chandanshesh Nagar,  
Hudkeshwar Naka, Nagpur - 34.
2. Gyandas S/o Buddhulal Ujjainwar,  
Aged 57 yrs.; Occ: Service,  
R/o 51 C/o Suresh Buddhulal Ujjainwar,  
Bhavani Nagar, Ram Mandir Road, Nagpur - 35.

**Applicants.**

**Versus**

- 1) State of Maharashtra,  
Through its Secretary,  
Medical Education and Drugs Department,  
9<sup>th</sup> Floor, GT Hospital Campus Building,  
New Mantralaya, Fort, Mumbai - 400001.
- 2) Director of Medical Education,  
Maharashtra State, 4th Floor,  
Govt. Dental College building,  
St. Georges Hospital Compound,  
CST, Mumbai-400001.
- 3) Dean,  
Indira Gandhi Government Medical College

and Hospital, Central Avenue, Nagpur - 440018.

**Respondents**

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Shri N.D.Thombre, Ld. Counsel for the applicants.  
Shri A.M.Khadatkar, Ld. P.O. for the respondents.

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**Coram:- Hon'ble Shri M.A.Lovekar, Member (J).**

**Dated: - 13<sup>th</sup> August, 2024.**

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**JUDGMENT**

**Judgment is reserved on 08<sup>th</sup> August, 2024.**

**Judgment is pronounced on 13<sup>th</sup> August, 2024.**

Heard Shri N.D.Thombre, learned counsel for the applicants  
and Shri A.M.Khadatkar, learned P.O. for the respondents.

2. Applicant no.1 was appointed as a daily wager on 01.09.1983. By way of regularisation of his services he was absorbed on the post of Laboratory Attendant on 01.08.1994. Applicant no.2 was appointed as daily wager on 13.06.1983. His services were regularised by way of absorption as Sweeper on 01.08.1994. Benefits of time bound promotions were extended to the applicants during pendency of this O.A. not from the date of their initial entry but from the date of their absorption / regularisation. According to the applicants, they are

entitled to get benefits of time bound promotions from the date of their initial appointment on daily wages. Hence, this O.A..

3. Stand of the respondents is that benefits of time bound promotions were rightly extended to the applicants from the date of regularisation of their services / absorption as is provided in G.R. dated 02.03.2019 issued by Finance Department, Government of Maharashtra.

4. In support of their contentions the applicants have relied on G.R. dated 07.10.2016 issued by Finance Department, Government of Maharashtra. This G.R. states-

महाराष्ट्र लोकसेवा आयोगाच्या कक्षेतील मंत्रालयातील तसेच बृहन्मुंबईतील राज्य शासकीय कार्यालयात लिपिकवर्गीय संवर्ग तसेच अन्य संवर्गात महाराष्ट्र लोकसेवा आयोग अपुरस्कृत उमेदवार म्हणून नियुक्त झालेल्या व सामान्य प्रशासन विभागाच्या विविध शासन आदेशान्वये दिनांक ३१.३.१९९९ पर्यंत सेवा नियमित केलेल्या कर्मचाऱ्यांची, सेवा नियमित झाल्याच्या दिनांकापूर्वीची, तात्पुरती अखंडीत सेवा, तसेच महाराष्ट्र लोकसेवा आयोग पुरस्कृत उमेदवार म्हणून मंत्रालय तसेच बृहन्मुंबईतील राज्य शासकीय कार्यालयात लिपिक संवर्गात अथवा अन्य तत्सम संवर्गात नियुक्त झालेल्या कर्मचाऱ्याची पदोन्नतीच्या कोट्यातील तात्पुरत्या पदोन्नतीची अखंडीत सेवा देखील कालबद्ध पदोन्नती / सेवांतर्गत आशवासित प्रगती योजना / सुधारित सेवांतर्गत आशवासित प्रगती योजनेच्या प्रयोजनासाठी १२ वर्षांच्या नियमित सेवेची गणना करताना विचारात घेण्यात यावी.

This G.R. is clearly not applicable to the applicants.

The respondents have relied on Clause (XX)(4) of G.R. dated 02.03.2019. It reads as under-

(४) रोजंदारीवरील, कार्यव्ययी आस्थापनेवरील, कंत्राटी तत्वावरील व तदर्थ

(Ad-hoc) नियुक्त करण्यात आलेल्या कर्मचाऱ्यांना या योजनेचा लाभ

अनुज्ञेय राहणार नाही.

From the aforequoted Clause of the G.R. it can be logically inferred that service tenure on daily wages, contract basis, ad-hoc basis cannot be taken into account while extending benefits of time bound promotions.

5. Discussions made so far will show that the respondents were justified in extending benefits of time bound promotions to the applicants from the date of regularisation of their services. These benefits could not have been extended to them from the date of their entry as daily wager. In the result, the O.A. is dismissed with no order as to costs.

(M.A.Lovekar)  
Member (J)

Dated – 13/08/2024  
rsm.

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

Name of Steno : Raksha Shashikant Mankawde.  
Court Name : Court of Hon'ble Member (J).  
Judgment signed on : 13/08/2024.  
and pronounced on  
Uploaded on : 13/08/2024.