

WRIT PETITION No. 11025 OF 2014

Mr. Jayant Ganesh Dongre	...	Petitioner
<i>Versus</i>		
State Of Maharashtra, Through Secretary, Vocational Training And Education Dept And Ors.	...	Respondents

Mr. A. M. Joshi, & V. K. Bodhare, for the Petitioner.

Mr. M. C. Walimbe, AGP for Respondent Nos. 1 to 4.

CORAM : R. M. BORDE, &
A. S. GADKARI, JJ.

DATE : JANUARY 31, 2017

PC.

1. This petition is directed against an order passed by the Maharashtra Administrative Tribunal (for short “Tribunal”) in Misc. Application No. 361 of 2012 in Original Application No. 745 of 2012. The original application was filed, claiming seniority over Smt. A. A. Karkhanis and Shri S. P. Dhamdhare. The Petitioner objected to the promotions given to Smt. A. A. Karkhanis and Shri Dhamdhare on

31.10.1985 by tendering representation dated 7.12.1988. His representation was rejected by the Dy. Director of Education on 10.2.1989. The Petitioner tendered another representation on 7.12.1989 and it was rejected on 10.2.1990.

2. The original application was filed by the Petitioner challenging the order dated 6.5.2010 rejecting the seniority claim of the Petitioner in preference to Shri D. D. Patil and Shri A. L. Supekar. The earlier representations tendered by the Petitioner were rejected in 1989 and 1990. However, the Petitioner again challenged the order in regard to Shri D. D. Patil and Shri A. L. Supekar, who have been granted deemed date of promotion in preference to Smt. Karkhanis and Shri Dhamdhere. Shri Supekar has been awarded deemed date of promotion in the cadre of senior clerk as 31.10.1985. Since the claim of the Petitioner for his placement in the seniority list above Smt. Karkhanis and Shri Dhamdhere has already been rejected, the further claim of the Petitioner on the basis of subsequent order passed in favour of Shri D. D. Patil and Supekar, who have been granted deemed date of promotion in preference to Smt. Karkhanis and Shri Dhamdhere, in fact, does not change the complexion of the grievance

raised by the Petitioner. The seniority claim of Petitioner in preference to Smt. Karkhanis and Shri Dhamdhere has already been turned down, as such, logically he cannot claim seniority on par with with Shri D. D. Patil and Shri A. L. Suprekar, who have been awarded placement above Smt. Karkhanis and Shri Dhamdhere. Even otherwise, Mr. Supekar and Mr. Patil have been granted deemed date of promotion way back in 2006. The Petitioner retired on attaining age of superannuation in 2012, and thereafter he belatedly approached the Tribunal.

3. We have perused the judgment and order passed by the Tribunal. We do not find any inconsistency or irregularity in the reasons recorded in the impugned judgment and order. Writ petition is devoid of substance, hence, stand dismissed.

Sd/-
[A. S. GADKARI, J.]

Sd/-
[R. M. BORDE, J.]

Vinayak Halemth