

**FARAD CONTINUATION SHEET  
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
AURANGABAD BENCH, AURANGABAD  
ORIGINAL APPLICATION NO.958/2017  
(Nalinidevi Ranjitsing Thakor V/s. State of Maharashtra & Ors.)**

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**OFFICE ORDER**

**TRIBUNAL'S ORDERS**

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**CORAM : JUSTICE A.H.JOSHI, CHAIRMAN**

(This case is placed before Single Bench  
due to non-availability of Division Bench)

**DATE : 26.12.2017**

**ORAL ORDER :**

1. Heard Shri Vikrant Palsikar learned Advocate holding for Shri R.M.Patil learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.
2. Issue notices to the respondents, returnable on 21-02-2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in

the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. Heard on the point of ex-parte ad-interim relief.

8. Applicant has shown that she had applied in Open Female category and has claimed entry in open merit category only.

9. Applicant's candidature in open merit category is declined on the ground that applicant belongs to DT(A) category.

10. It is evident that stance of Maharashtra Public Service Commission (MPSC) is grossly erroneous being contrary to declared policy of State as well as contrary to the law laid down by Hon'ble the Supreme Court in **R.K.Sabharwal's** case.

11. Hence, applicant has made out case for granting ex-parte ad-interim relief, which is as follows:

(a) In case interview session is still in progress, applicant be called and be interviewed.

(b) MPSC shall be free to hold special interview session for the applicant in case interview session for subject matter interviews is over.

(c) In case applicant stands chance of selection in open merit, applicant be declared selected subject to outcome of the O.A.

(d) In case MPSC does not wish to declare result of applicant's performance let the results of Open Female category be withheld.

(e) In case process of selection is complete, and MPSC does not hold applicant's interview, the dispatch of selection list of the category of Open Female for the post of Assistant Chemical Analyzer in Directorate of Forensic Science Laboratories furtherance to advertisement No.14/2017 be withheld.

12. Steno copy and Hamdast is allowed to both parties.

13. Parties are at liberty to circulate the case before due date, if necessary.

**CHAIRMAN**

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