IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI

ORIGINAL APPLICATION NO.1421/2025
WITH
ORIGINAL APPLICATION NO.1422/2025
with
ORIGINAL APPLICATION NO.176/2026
(O.A.STAMP NO.1309/2025 Chhatrapati Sambhajinagar bench)

District : Thane/ CSN
Subject : Seniority with deemed date

(O.A.No.1421/2025)
Manish Raghunath Jadhav,)
R/at. House No.266, At Post. Jambhul,)
Tal. Kalyan, Dist. Thane 421 505) **...Applicant.**

Versus

(1) The State of Maharashtra)
Through Secretary,)
Revenue and Forest Department,)
Mantralaya, Mumbai 400 032)

(2) The Principal Chief Conservator of Forest)
Nagpur, Van Bhavan, Ramgiri Road,)
Civil Lines, Nagpur 440 001)

(3) The Chief Conservator of Forest,)
Near Microwave Tower, Bara Bungalow)
Area, Krishna Borker Marg, Kopri,)
Thane East 400 603) **.....Respondents**

WITH

(O.A.No.1422/2025)
Narayan Namdev Mane)
Nisarg Greens, Flat No.403, Tulip-B,)
Cabin Road, Ambarnath (E) 421 501) **...Applicant.**

Versus

(1) The State of Maharashtra)
Through Secretary,)
Revenue and Forest Department,)
Mantralaya, Mumbai 400 032)

(2) The Principal Chief Conservator of Forest)
Nagpur, Van Bhavan, Ramgiri Road,)
Civil Lines, Nagpur 440 001)

(3) The Chief Conservator of Forest,)
Near Microwave Tower, Bara Bungalow)
Area, Krishna Borker Marg, Kopri,)
Thane East 400 603) **.....Respondents**

WITH

(O.A.No.176/2026) (O.A.STAMP NO.1309/2025 CSN bench)

Dagadu Govindrao Rathod)
R/at. Building No.C-5, Flat No.02,)
Tapadiya Park, N-4, CIDCO, Near Jai Bhavani)
Nagar, CH Sambhaji Nagar,) **...Applicant.**

Versus

(1) The State of Maharashtra)
Through Secretary,)
Revenue and Forest Department,)
Mantralaya, Mumbai 400 032)

(2) The Principal Chief Conservator of Forest)
Nagpur, Van Bhavan, Ramgiri Road,)
Civil Lines, Nagpur 440 001)

(3) The Chief Conservator of Forest,)
Vanbhavan, 1st floor, Railway station road,)
Usanapura, SSC Board,)
C.H. Sambhajinagar 431 005) **.....Respondents**

Shri S.S. Dere, the learned advocate for the applicants.

Ms. S.P. Manchekar, the learned Chief Presenting Officer for the respondents.

CORAM : JUSTICE MANGESH S. PATIL, HON'BLE CHAIRMAN
SHRI A.M. KULKARNI, HON'BLE MEMBER (A)

DATE : 17.08.2026.

PER : JUSTICE MANGESH S. PATIL, HON'BLE CHAIRMAN

J U D G M E N T

Heard the learned advocate for the applicants in all these matters as also the learned Chief Presenting Officer, finally at the stage of admission.

2. The applicants who were selected and posted as 'Foresters' through the Limited Departmental Competitive Examination (L.D.C.E.) are aggrieved by the fact that they are being denied further promotion to the post of 'Range Forest Officer' only on the ground of they having derived the benefit of reservation while getting selected and posted as Foresters, and on the ground that by virtue of the decision of the Bombay High Court in the matter of ***Bombay High Court in writ petition no.2797/2015, State of Maharashtra Versus Vijay Ghogare and others by the judgment and order dated 04.08.2017,*** the Government Resolution (G.R.) dated 25.05.2004 was struck down and the decision is under challenge before the Supreme Court.

3. The applicants' stand is to the effect that considering number of posts which were available for appointment by way of selection through L.D.C.E. if those were to be filled-in strictly accordingly to the merits / marks, all these applicants would have been easily selected and appointed even without reservation.

4. The applicants from O.A.Nos.1421/25 and 1422/2025 are persons from Thane Circle whereas the applicant from O.A.No.176/2026 is from Chhatrapati Sambhajinagar Circle. It is

being pointed out that the two applicants in the first two original applications had secured 140 and 141 marks respectively. The number of posts to be filled-in through L.D.C.E. were 27, and even according to merit list they stood at serial nos.26 and 27.

5. So far as the applicant from O.A.No.176/2026 is concerned, it is being pointed out that he had scored 135 marks. The number of posts advertised were 15. Though his name was standing at serial no.16 of merit list, he and the candidate at serial no.15, both had scored equal marks. As per rules and regulations, since the applicant was more in age than the candidate at serial no.15, he would have occupied serial no.15 according to the merit.

6. This specific stand of the applicants stands corroborated in the form of internal communication dated 23.06.2026, whereby the Joint Principal Chief Conservator of Forest (Administration) and the Joint Chief Conservator of Forest, Mantralaya, Mumbai. This communication has been tendered across the bar. It is taken on record and marked as 'X' for the purpose of identification.

7. Besides this communication, the contents thereof also stand corroborated in material particulars in the reply filed by and on behalf of respondent nos.1 to 3 in all these original applications.

8. In view of such state of affairs, if the applicants had derived the benefit of reservation while getting selected to the post of Forester through L.D.C.E. would merely be academic. If even otherwise they were meritorious enough to get selected through the L.D.C.E., considering the vacancies which were notified and available, in our considered view, it is imperative for the respondents to have ignored the fact that the applicants were selected against a roster point available to their respective social category, and should have

considered them for promotion to the post of Range Forest Officer if they were otherwise eligible and entitled to.

9. Such a course which we propose the respondents should follow, stands corroborated from a similar order passed in O.A.No.132/2024 on 26.04.2024. Though that matter was pertaining to the Police establishment and promotions thereunder, the fact situation obtaining before the Tribunal in that matter was a replica of the fact situation of the matters in hand.

10. In view of above, we allow all the original applications with a direction to the respondents to convene a special D.P.C. and consider the applicants for promotion to the post of Range Forest Officer, if they are otherwise eligible to, and ignoring the fact that their selection through L.D.C.E. to the post of Forester was against a particular roster point.

11. The steps and decision shall be taken as expeditiously as possible, and in any case within four weeks.

Sd/-	Sd/-
(A.M. Kulkarni)	**(Mangesh S. Patil, J.)**
Member (A)	**Chairman**
17.08.2026	**17.08.2026**

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