

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NOS. 60, 61, 116, 117, 118, 119,
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,
132, 133, 134, 135, 136 & 158 all of 2022
(Subject - Relieve)**

1. ORIGINAL APPLICATION NO. 60 OF 2022

DISTRICT : NANDURBAR

Abhaykumar Santosh Savle,)
Age : 34 years, Occu. : Service as)
Secondary Teacher, at Govt. Ashram)
School, Bhagrapani, Tq. Akkalkuva,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

- 1. The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
- 2. The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
- 3. The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
- 4. The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

2. ORIGINAL APPLICATION NO. 61 OF 2022

DISTRICT : NANDURBAR

Sangmeshwar Shivraj Konale,)
Age : 33 years, Occu. : Service as)

Primary Teacher, at Govt. Ashram)
 School, Shelgada, Tq. Akrani,)
 Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
 Through Principal Secretary,)
 Tribal Development Department,)
 Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
 Tribal Development Department,)
 Old Agra Road, Gadkari Chowk,)
 Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
 Tribal Development Department,)
 Ground Floor, Old Agra Road, Gadkari)
 Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
 Integrated Tribal Development Project,))
 Taloda, Tq. Taloda, Dist. Nandurbar.) ...**RESPONDENTS**

W I T H

3. ORIGINAL APPLICATION NO. 116 OF 2022

DISTRICT : NANDURBAR

Ankush Sakharam Barde,)
 Age : 34 years, Occu. : Service as)
 Primary Teacher, at Govt. Ashram)
 School, Borad, Tq. Taloda, Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
 Through Principal Secretary,)
 Tribal Development Department,)
 Mantralaya, Mumbai-32.)

2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

4. ORIGINAL APPLICATION NO. 117 OF 2022

DISTRICT : NANDURBAR

- Narendra Devidas Rathod,**)
Age : 32 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)
School, Talamba, Tq. Akkalkuva,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H**5. ORIGINAL APPLICATION NO. 118 OF 2022****DISTRICT : NANDURBAR**

Santaji Laxman Desai,)
 Age : 36 years, Occu. : Service as)
 Primary Teacher, at Govt. Ashram)
 School, Jangthi, Tq. Akrani, Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
 Through Principal Secretary,)
 Tribal Development Department,)
 Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
 Tribal Development Department,)
 Old Agra Road, Gadkari Chowk,)
 Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
 Tribal Development Department,)
 Ground Floor, Old Agra Road, Gadkari)
 Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
 Integrated Tribal Development Project,)
 Taloda, Tq. Taloda, Dist. Nandurbar.) ...**RESPONDENTS**

W I T H**6. ORIGINAL APPLICATION NO. 119 OF 2022****DISTRICT : NANDURBAR**

Pravin Subhashchandra Dhule,)
 Age : 34 years, Occu. : Service as)
 Primary Teacher, at Govt. Ashram)
 School, Talamba, Tq. Akkalkuva,)
 Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

7. ORIGINAL APPLICATION NO. 120 OF 2022

DISTRICT : NANDURBAR

Shashikant Chandrakant Kasod,)
Age : 37 years, Occu. : Service as)
Junior Secondary Teacher, at Govt. Ashram)
School, Toranmal, Tq. Akrani,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)

Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)

4. **The Project Officer,**)
Integrated Tribal Development Project,))
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

8. ORIGINAL APPLICATION NO. 121 OF 2022

DISTRICT : NANDURBAR

- Smt. Rashmi Bapurao Desale,**)
Age : 38 years, Occu. : Service as)
Superintendent, at Govt. Ashram)
School, Sindidigar, Tq. Dhadgaon,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,))
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

9. ORIGINAL APPLICATION NO. 122 OF 2022

DISTRICT : NANDURBAR

Chotu Sahebrao Samudre,)
 Age : 37 years, Occu. : Service as)
 Junior Secondary Teacher, at Govt. Ashram)
 School, Hatdhui, Tq. Dhadgaon,)
 Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
 Through Principal Secretary,)
 Tribal Development Department,)
 Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
 Tribal Development Department,)
 Old Agra Road, Gadkari Chowk,)
 Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
 Tribal Development Department,)
 Ground Floor, Old Agra Road, Gadkari)
 Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
 Integrated Tribal Development Project,)
 Taloda, Tq. Taloda, Dist. Nandurbar.) ...**RESPONDENTS**

W I T H

10. ORIGINAL APPLICATION NO. 123 OF 2022

DISTRICT : NANDURBAR

Pramila Popatrao Matkar,)
 Age : 32 years, Occu. : Service as)
 Secondary Teacher, at Govt. Ashram School,)
 Sonkhurd, Tq. Dhadgaon, Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
 Through Principal Secretary,)
 Tribal Development Department,)
 Mantralaya, Mumbai-32.)

2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

11. ORIGINAL APPLICATION NO. 124 OF 2022

DISTRICT : NANDURBAR

Mangesh Rahul Katke,)
Age : 34 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)
School, Dab, Tq. Akkalkuva,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H**12. ORIGINAL APPLICATION NO. 125 OF 2022****DISTRICT : NANDURBAR**

Anil Chudaman Patil,)
 Age : 53 years, Occu. : Service as)
 Junior Secondary Teacher, at Govt. Ashram)
 School, Shirve, Tq. Taloda, Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
 Through Principal Secretary,)
 Tribal Development Department,)
 Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
 Tribal Development Department,)
 Old Agra Road, Gadkari Chowk,)
 Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
 Tribal Development Department,)
 Ground Floor, Old Agra Road, Gadkari)
 Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
 Integrated Tribal Development Project,)
 Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H**13. ORIGINAL APPLICATION NO. 126 OF 2022****DISTRICT : NANDURBAR**

Shaikh Shakir Shaikh Shaukat,)
 Age : 32 years, Occu. : Service as)
 Primary Teacher, at Govt. Ashram)
 School, Mojara, Tq. Akkalkuva,)
 Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

14. ORIGINAL APPLICATION NO. 127 OF 2022

DISTRICT : NANDURBAR

Amol Arunrao Koparekar,)
Age : 34 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)
School, Kumbharkhan, Tq. Taloda,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)

Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)

4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

15. ORIGINAL APPLICATION NO. 128 OF 2022

DISTRICT : NANDURBAR

- Shriraj Mohan Athilkar,**)
Age : 38 years, Occu. : Service as)
Secondary Teacher, at Govt. Ashram)
School, Wadphali, Tq. Akkalkuva,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

16. ORIGINAL APPLICATION NO. 129 OF 2022

DISTRICT : NANDURBAR

Umesh Sitaram Jadhav,)
Age : 33 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)
School, Sindidigar, Tq. Akrani,)
Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) ...**RESPONDENTS**

W I T H

17. ORIGINAL APPLICATION NO. 130 OF 2022

DISTRICT : NANDURBAR

Mahendra Manohar Gavale,)
Age : 33 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)
School, Salsadi, Tq. Taloda, Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)

2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

18. ORIGINAL APPLICATION NO. 131 OF 2022

DISTRICT : NANDURBAR

- Vinod Saluba Chandol,**)
Age : 38 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)
School, Ichhagavan, Tq. Taloda,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

19. ORIGINAL APPLICATION NO. 132 OF 2022

DISTRICT : NANDURBAR

Pravin Prakash Mahajan,)
Age : 34 years, Occu. : Service as)
Junior Secondary Teacher, at Govt. Ashram)
School, Moramba, Tq. Akkalkuva,)
Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

20. ORIGINAL APPLICATION NO. 133 OF 2022

DISTRICT : NANDURBAR

Gajanan Chandrabhan Katare,)
Age : 33 years, Occu. : Service as)
Superintendent, at Govt. Ashram School,)
Shelagada, Tq. Akrani, Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

21. ORIGINAL APPLICATION NO. 134 OF 2022
DISTRICT : NANDURBAR

Vijay Bhanudas Pattebahadur,)
Age : 34 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)
School, Shelgada, Tq. Akrani, Dist. Nandurbar.) **... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)

4. **The Project Officer,**)
Integrated Tribal Development Project,))
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

22. ORIGINAL APPLICATION NO. 135 OF 2022

DISTRICT : NANDURBAR

- Shaikh Ismail Shaikh Haji,**)
Age : 38 years, Occu. : Service as)
Secondary Teacher, at Govt. Ashram)
School, Mojara, Tq. Dhadgaon,)
Dist. Nandurbar.) **.... APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,))
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

W I T H

23. ORIGINAL APPLICATION NO. 136 OF 2022

DISTRICT : NANDURBAR

- Sandip Namdeorao Kavarkhe,**)
Age : 36 years, Occu. : Service as)
Primary Teacher, at Govt. Ashram)

School, Jangthi, Tq. Akarani,)
Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)
3. **The Additional Commissioner,**)
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
4. **The Project Officer,**)
Integrated Tribal Development Project,)
Taloda, Tq. Taloda, Dist. Nandurbar.) ...**RESPONDENTS**

W I T H

24. ORIGINAL APPLICATION NO. 158 OF 2022

DISTRICT : NANDURBAR

Ganesh Ramkisan Gaikwad,)
Age : 36 years, Occu. : Service as)
Junior Secondary Teacher, at Govt. Ashram)
School, Shirve, Tq. Taloda, Dist. Nandurbar.) **APPLICANT**

V E R S U S

1. **The State of Maharashtra,**)
Through Principal Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai-32.)
2. **The Commissioner,**)
Tribal Development Department,)
Old Agra Road, Gadkari Chowk,)
Matoshrinagar, Nashik, Dist. Nashik.)

- 3. The Additional Commissioner,)**
Tribal Development Department,)
Ground Floor, Old Agra Road, Gadkari)
Chowk, Matoshrinagar, Nashik, Dist. Nashik.)
- 4. The Project Officer,)**
Integrated Tribal Development Project,))
Taloda, Tq. Taloda, Dist. Nandurbar.) **...RESPONDENTS**

APPEARANCE : Shri S.A. Deshmuk, Advocate for the
Applicants in all these O.As.

: Shri M.S. Mahajan, Chief Presenting Officer for
Respondents in all these O.As.

CORAM : **SHRI V.D. DONGRE, MEMBER (J).**

DATE : **08.08.2022.**

C O M M O N - O R D E R

1. This group of 24 matters filed under Section 19 of the Administrative Tribunals Act, 1985 can be disposed of by this common judgment and order, as the facts involved in all these matters are of somewhat similar nature seeking identical relief of relieving the applicants from the posts pursuant to their respective transfer orders.

2. The facts in brief giving rise to these Original Applications can be summarized as follows :-

- (i) The applicant is single in all these O.As. Out of these applicants, the applicants in 13 Original Applications are

servicing as Primary Teachers, applicants in 5 Original Applications are serving as Secondary Teachers, the applicants in 4 Original Applications are serving as Junior College Teachers, the applicant in one O.A. is serving as Male Superintendent and the applicant in another O.A. is serving as Female Superintendent. All of them are working in different Government Ashram Schools in Nandurbar District under PESA (Panchayats (Extension to Scheduled Areas) Act, 1996) in Taloda Project. The area wherein all the applicants are serving and residing are Remote Tribal Area of Nandurabar District covered under the PESA Act, 1996. For the sake of convenience, the details of all the applicants are reproduced in the following Tables A to E :-

Table-A
List of Primary Teachers

Sr. No	O.A. No.	Name of Employee	Designation	Total service Tenure in Taloda Project	Presently working School	Transferred School and Project Office	Impugned Transfer order date
1	OA 61/22	Shri Sangmeshwar Shivraj Konale	Primary Teacher	9 years 11 months	Govt. Ashram School Shelgada, Tq. Akrani, Dist. Nandurbar	Govt. Ashram School Amboli, Tq. Tryambakeshwar Project-Nashik	02.08.2021
2	OA 116/22	Shri Ankush Sakharam Barde	Primary Teacher	9 years 4 months	Govt. Secondary Ashram School Borad, Tq.	Govt. Ashram School Jodhankheda, Tq.	27.07.2021

Ors.

					Taloda, Dist. Nandurbar	Muktainagar Project- Yawal	
3	OA 117/2 2	Shri Narendra Devidas Rathod	Primary Teacher	9 years 11 months	Govt. Ashram School Talamba, Tq. Akkalkuwa, Dist. Nandurbar	Govt. Ashram School Waghzira, Tq. Yawal Dist. Jalgaon Project- Yawal	02.09.2 021
4	OA 118/2 2	Shri Santaji Laxman Desai	Primary Teacher	9 years 1 month	Govt. Ashram School Jangthi, Tq. Akrani, Dist. Nandurbar	Govt. Ashram School Malod, Tq. Yawal Project- Yawal	02.08.2 021
5	OA 119/2 2	Shri Pravin Subhashchan dra Dhule	Primary Teacher	9 years 5 months	Govt. Ashram School Talamba, Tq. Akkalkuwa, Dist. Nandurbar	Govt. Ashram School Waghzira, Tq. Yawal Dist. Jalgaon Project- Yawal	02.09.2 021
6	OA 124/2 2	Shri Mangesh Rahul Katke	Primary Teacher	9 years 11 months	Govt. Ashram School Dab, Tq. Akkalkuwa, Dist. Nandurbar	Govt. Ashram School Vaijapur, Tq. Chopda, Dist. Jalgaon Project- Yawal	27.07.2 021
7	OA 126/2 2	Shri Shaikh Shakir Shaikh Shaukat	Primary Teacher	9 years 5 months	Govt. Secondary Ashram School Mojara, Tq. Akkalkuwa, Dist. Nandurbar	Govt. Secondary Ashram School Titve, Tq. Trimbak, Dist. Nashik Project- Nashik	02.09.2 021
8	OA 127/2 2	Shri Amol Arunrao Koprekar	Primary Teacher	9 years 4 months	Govt. Ashram School Kumbharkhan Taloda Project	Govt. Ashram School Shirasgaon Tq. Trimbak, Dist. Nashik Project- Nashik	27.07.2 021
9	OA 129/2 2	Shri Umesh Sitaram Jadhav	Primary Teacher	9 years 3 months	Govt. Ashram School Shindidigar, Tq.	Govt. Ashram School Malod, Tq. Yawal	02.08.2 021

Ors.

					Dhadgaon, Dist. Nandurbar	Project- Yawal	
10	OA 130/2 2	Shri Mahendra Manohar Gavale	Primary Teacher	8 years 9 months	Govt. Secondary Ashram School Salsadi, Tq. Taloda, Dist. Nandurbar	Govt. Ashram School Kotali, Tq. & Dist. Nandurbar Project- Nandurbar	02.08.2 021
11	OA 131/2 2	Shri Vinod Saluba Chandol	Primary Teacher	9 years 11 months	Govt. Primary Ashram School Icchagavha n, Tq. Taloda, Dist. Nandurbar	Govt. Ashram School Malod, Tq. Yawal, Dist. Jalgaon Project- Yawal	27.07.2 021
12	OA 134/2 2	Shri Vijay Bhanudas Pattebahadur	Primary Teacher	9 years 11 months	Govt. Ashram School Shelgada, Tq. Dhadgaon, Dist. Nandurbar	Govt. Ashram School Lalmati, Tq. Raver, Dist. Jalgaon Project- Yawal	27.07.2 021
13	OA 136/2 2	Shri Sandip Namdeorao Kavrakhe	Primary Teacher	9 years 2 months	Govt. Ashram School Jangthi, Tq. Akrani, Dist. Nandurbar	Govt. Ashram School Lalmati, Tq. Raver, Dist. Jalgaon Project- Yawal	02.08.2 021

Table-B**List of Secondary Teachers**

Sr. No	O.A. No.	Name of Employee	Designati on	Total service Tenure in Taloda Project	Presently working School	Transferre d School and Project Office	Impugn ed Transfe r order date
1	OA 60/22	Shri Abhaykumar Santosh Savale	Secondary Teacher	12 years 1 month	Bhagrapani Govt. Ashram School, Tq. Akkalkuva, Dist. Nandurbar	Chandsaili Govt. Ashram School, Tq. Shahada, Dist. Nandurbar Project-	27.07.2 021

Ors.

2	OA 120/2 2	Shri Shashikant Chandrakantr ao Kasod	Secondary Teacher	11 years 11 months	Govt. Secondary Ashram School Toranmal, Tq. Akrani, Dist. Nandurbar	Nandurbar Govt. Secondary Ashram School Waghzira, Tq. Yawal Dist. Jalgaon Project- Yawal	27.07.2 021
3	OA 123/2 2	Smt. Pramila Popatrao Matkar	Secondary Teacher	9 years 6 months	Govt. Ashram School Sonkhurda, Tq. Dhadgaon, Dist. Nandurbar Project - Taloda	Govt. Ashram School Maveshi, Tq. Akole, Dist. Ahmednag ar Project- Rajur	30.09.2 021
4	OA 128/2 2	Shri Shriraj Mohan Athilkar	Secondary Teacher	9 years 6 months	Govt. Ashram School Wadphali, Tq. Akkalkuwa, Dist. Nandurbar	Govt. Ashram School Murambi, Tq. Tryambak Project- Nashik	27.07.2 021
5	OA 135/2 2	Shri Shaikh Israile Shaikh Haji	Secondary Teacher	9 years 7 months	Govt. Secondary Ashram School Mojara, Tq. Dhadgaon, Dist. Nandurbar	Govt. Secondary & Higher Secondary Ashram School Vaijapur, Tq. Chopda. Dist. Jalgaon Project- Yawal	27.07.2 021

Table-C
List of Junior College Teachers

Sr. No	O.A. No.	Name of Employee	Designation	Total service Tenure in Taloda Project	Presently working School	Transferred School and Project Office	Impugned Transfer order date
1	OA 122/2 2	Shri Chotu Sahebrao Samudre	Junior College Teacher	8 years 10 months	Govt. Ashram School Hatdhui, Tq. Dhadgaon, Dist. Nandurbar	Govt. Ashram School Ranipur Tq. Shahada, Dist. Nandurbar	09.08.2 021

Ors.

						Project-Nandurbar	
2	OA 125/2 2	Shri Anil Chudaman Patil	Junior College Teacher	6 years 7 days	Govt. Secondary and Higher Secondary Ashram School Shirve, Tq. Taloda, Dist. Nandurbar	Govt. Secondary and High er Secondary Ashram School Chankapur Tq. Kalvan, Dist. Nandurbar Project- Kalwan	02.08.2 021
3	OA 132/2 2	Shri Pravin Prakash Mahajan	Junior College Teacher	9 years 5 months	Govt. Ashram School Moramba, Tq. Akkalkuwa, Dist. Nandurbar	Govt. Secondary and High er Secondary Ashram School Shevge Tq. Sakri, Dist. Dhule Project- Dhule	30.07.2 021
4	OA 158/2 2	Shri Ganesh Ramkishan Gaikwad	Junior College Teacher	9 years 7 Months	Govt. Ashram School Shirve, Tq. Taloda, Dist. Nandurbar	Govt. Secondary Ashram School Bopkhel Tq. Sakri, Dist. Dhule Project- Dhule	30.08.2 021

Table-D
List of Superintendent (Male)

Sr. No	O.A. No.	Name of Employee	Designation	Total service Tenure in Taloda Project	Presently working School	Transferred School and Project Office	Impugned Transfer order date
1	OA 133/2 2	Shri Gajanan Chandrabhan Katare	Superintendent	13 years	Govt. Ashram School Shelgada, Tq. Dhadgaon, Dist. Nandurbar Taloda Project	Govt. Ashram School Malod, Tq. Yawal, Dist. Jalgaon Project- Yawal	09.08.2 021

Table-E
List of Superintendent (Female)

Sr. No	O.A. No.	Name of Employee	Designation	Total service Tenure in Taloda Project	Presently working School	Transferred School and Project Office	Impugned Transfer order date
1	OA 121/22	Smt. Rashmi Bapurao Desale	Superintendent (Female)	2 years 10 months	Govt. Ashram School Sindidigar, Tq. Dhadgaon, Dist. Nandurbar Taloda Project	Govt. Ashram School Devdongra, Project-Nashik	06.09.2021

(ii) Out of the 24 applicants, except the applicant viz. Smt. Rashmi Bapurao Desale in O.A. No. 121/2022 all other 23 applicants were due for transfer having completed two tenures of three years each on their respective places of their respective postings as contemplated under Section 3 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short “the Transfer Act 2005”). The said Smt. Rashmi Bapurao Desale applicant in O.A. No. 121/2022 had completed only tenure of two years and ten months. The applicants were accordingly transferred from their present postings by respective transfer orders. In each of the transfer order issued by the respondent No. 3 i.e. the

Additional Commissioner, Tribal Development Department,
Nashik, the following instructions were incorporated :-

- १) बदलीबाबतचे आदेश प्राप्त झाल्यानंतर संबंधित कर्मचारी हजर होण्याची वाट पाहता बदली झालेल्या कर्मचा-यास आदेश प्राप्त झाल्यापासुन १५ दिवसाच्या आत कार्यमुक्त करावे.
- २) बदली झालेले कर्मचारी त्यांच्या संबंधित प्रकल्पातून कार्यमुक्त होवून रुजू होण्यासाठी आल्यानंतर त्यांना विनाविलंब रुजू करून घ्यावे. एखादया कर्मचा-याला रुजू करून न घेतल्यामुळे सक्तीचा पतीक्षा काळ व काम न देता भत्ते द्यायचा प्रसंग उद्भवल्यास त्याची सर्वस्वी जबाबदारी संबंधित आस्थापना अधिकारी व आहरण व संवितरण अधिकारी यांची राहिल व ते सर्वस्वी जबाबदार राहतील.
- ३) बदलीच्या आदेशात बदल करून घेण्यासाठी कोणत्याही कर्मचा-याने प्रत्यक्ष वा अप्रत्यक्षपणे दबाव आणण्याचा प्रयत्न केल्यास असे कर्मचारी शिस्तभंगविषयक कार्यवाही करण्यास पात्र ठरतील.
- ४) बदली झालेल्या कर्मचा-यांना आदेश पारित झाल्यापासुन १५ दिवसाच्या आत कार्यमुक्त करावे व त्यानंतरचे वेतन कोणत्याही परिस्थितीत बदली पूर्वीच्या प्रकल्प / शासकीय आश्रमशाळा / वसतिगृह विभागाकडून काढण्यात येउ नये. सदरचे वेतन संबंधित कर्मचारी बदलीच्या ठिकाणी हजर झाल्यानंतर बदली झालेल्या ठिकाणी काढण्यात यावे.
- ५) १५ दिवसानंतरचे वेतन बदली पूर्वी कार्यरत असलेल्या विभागातील आहरण व संवितरण अधिका-याने अदा केल्यास त्यांना व्यक्तीशः जबाबदार धरण्यात येईल.
- ६) संबंधित प्रकल्प अधिकारी यांनी शासन निर्णय दि. २७ जून २०१३ नुसार कार्यवाही करावी.”

(iii) It is the common contention of the applicants that though the respondent No. 3 issued their respective transfer orders, the respondent No. 4 i.e. the Project Officer, Integrated Tribal Development Project, Taloda, Dist.

Nandurbar is not relieving them. Therefore, from time to time they approached the respondent No. 4 and made various representations requesting him to relieve them as expeditiously as possible. They had also made representations to the respondent No. 4 through their organization making similar request. However, the respondents did not pay any heed to the said request. There is no provision for not to relieve the Government servant once the transfer order is issued. Non-action in this regard on the part of respondent authorities is totally illegal and therefore, all these applicants have been seeking directions to the respondent authorities to relieve them from their respective places of postings. Hence, the present Original Applications.

3. (i) Separate affidavit-in-replies filed in all these O.A. on behalf of respondent Nos. 1 to 4 raising similar contentions, thereby adverse contentions are denied. However, factual contentions about orders of transfer and not relieving the respective applicants are admitted. In this regard, the respondents have justified their alleged inaction of not relieving the applicants by contending that out of total employees, the State Government in Government Ashram

Schools in Taloda Project, this year total 41 employees were ordered to be transferred out of the project jurisdiction and only 24 employees were transferred in the Project Taloda Jurisdiction, out of which only 04 employees have joined schools in Taloda Project and remaining 20 employees have changed establishment of their transfer. It is their further contentions that the jurisdiction of Integrated Tribal Development Project Taloda, Dist. Nandurbar cover / encompasses the most remote and hilly terrain comprising of Taloda, Akkalkuwa and Akrani Taluka with 100% PESA (Panchayats (Extension to Scheduled Areas) Act, 1996) area coverage. In total 42 Government Residential Ashram Schools and 17 Government Hostels, there are near about 15000 boys and 2000 girls tribal students respectively. Group of age 6 years to 18 years are admitted residentially for providing education, safety, health facilities and other caring of these tribal students. A total number of 674 posts of Teaching and Non-teaching Class-III are sanctioned, out of which only 321 post i.e. 47% posts are filled in and 53% posts are vacant.

(ii) It is further contended that considering the remote geographic and very less man power in the schools of

Taloda Project Jurisdiction due to lack of fulfillment of sanctioned post, if the employees in bulk number are transferred from Ashram Schools without any suitable replacements, the respondent No. 4 i.e. the Project Officer Integrated Tribal Development Project, Taloda won't able to provide due facilities and amenities to the resident tribal students admitted in these schools. It is further contented that the Primary Teachers, Secondary Teachers, Higher Secondary Teachers and Superintendents are the technical posts of hostels and as suitable replacement is not immediately available for them, the tenure of posting of the Government employees laid down in Section 3 is required to be extended. It is further submitted that out of the transferred employees, 90% employees are teaching Science and Mathematics subjects. If those are transferred without proper replacement from the Ashram Schools, the compulsory and desired ratio of teachers and students as per Right to Education Act, 2009 will not be fulfilled. Moreover, students and the parents have made various representations and allegations against the respondent No. 4 about vacancies in the Ashram Schools. In these circumstances, the applicants are not entitled the reliefs as

sought for. Hence, the present Original Applications are liable to be dismissed.

4. I have gone through the written notes of arguments filed on behalf of learned Advocate for the applicants and written notes of arguments filed on behalf of respondent Nos. 1 to 4. I have heard the oral arguments advanced by Shri S.A. Deshmukh, learned Advocate for the applicants in all these O.A. on one hand and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these O.As. on the other hand.

5. Perusal of the admitted facts on record would show that except the applicant viz. Smt. Rashmi Bapurao Desale in O.A. No. 121/2022, all other 23 applicants were due for transfer having completed the two tenures of three years each being falling in the cadre of Class-III employee. The applicant in O.A. No. 121/2022 viz. Smt. Rashmi Bapurao Desale, who was not due for transfer, was transferred considering her request and grounds mentioned by her.

6. It is not disputed that all the transfer orders were issued in accordance with the compliance of the provisions of Sections 3 to 6 of the Transfer Act, 2005 mainly conducting the counseling and placing the matters before Civil Services Board. None of the

applicants has grievance about place of transfer. Their only grievance is that they have not been relieved from their respective places of postings in order to join at their transferred places.

7. I have already reproduced the instructions incorporated in each of the transfer orders of all these applicants, which specifically mandates to issue relieving order within 15 days. Admittedly, that has not been done. From the contentions raised in the affidavit in reply, it appears that the relieving orders are not issued due to some supposedly administrative reasons that there is imbalance on account of these transfers in providing proper staff. That may be because of inter-departmental non-communication or for which the reasons best known to the respondents themselves and in that regards, the necessary administrative steps ought to have been taken by the concerned authorities.

8. Upon perusal of the scheme of Transfer Act and more particularly provisions of Section 3 to 6 of the Transfer Act, 2005, it is evident that no any specific discretion vests in the relieving authority. It is for the concerned respondent authority to act upon the issue of transfer orders in accordance with law. That has not happened. There is nothing on record to show that

before the applicants approached this Tribunal, any steps in accordance with law were taken by the respondents to meet the administrative exigencies. In view of the same, not relieving the applicants in accordance with the transfer orders under the provisions of Transfer Act, 2005, amounts to causing undue hardships to the respective applicants and non-action on the part of the respondent authorities about not relieving the applicants in accordance with law defeats the rights of the applicants. In view of the same, in my considered opinion, all these Original Applications can be disposed of by giving suitable directions to the respondent authorities to relieve the applicants from their respective places of postings within a period of one month from the date of this order in accordance with law in order to enable the applicants to join at their respective places of transfer. I therefore, proceed to pass the following order :-

ORDER

The Original Application Nos. 60, 61, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136 & 158 all of 2022 are disposed of with following directions :-

Ors.

- (A) The respondent authorities are directed to relieve all the applicants from their respective places of postings as expeditiously as possible in order to enable the applicants to join at their respective transferred places and in any case within a period of one month from the date of this order.
- (B) There shall be no order as to costs.

PLACE : AURANGABAD.
DATE : 08.08.2022.

(V.D. DONGRE)
MEMBER (J)

KPB S.B. O.A. No. 60/2022 & group VDD Relieve