

O.A.No.665/2022 (D.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

**C.A.Nos.232&246/2022:-**

Heard Shri G.K.Bhusari holding for Shri Y.P.Kaslikar, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. On oral request of ld. Counsel for the applicant, **S.O. 04.05.2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.866/2022 (D.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

**C.A.No.221/2023:-**

Heard Shri S.Phadnis, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. On oral request of Id. Counsel for the applicant, **S.O. 07.06.2023.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**C.P.No.13/2023inO.A.No.896/2021 (D.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri D.P.Dapurkar, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. On oral request of ld. Counsel for the applicant, **S.O. 04.05.2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri P.G.Nitnaware holding for Shri O.Y.Kashid, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within three days and if service report on affidavit is not filed

**three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri B.Kulkarni, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original



Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

O.A.No.420/2023 (D.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.A.Marathe, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the State.

2. At the request of ld. Counsel for the applicant, **S.O. 04.05.2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri N.G.Tikar, Id. Counsel for the applicant and Shri H.K.Pande, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date. Original

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

**C.P.No.43/2023inO.A.No.559/2021 (D.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri Y.Y.Humne, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the State.

2. At the request of Id. P.O., **S.O. 04.05.2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.P.Palshikar, Id. Counsel for the applicant and Shri A.P.Potnis, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on 19.06.2023. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original

Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. 19.06.2023.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

O.A.No.999/2018 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. Ld. P.O. has placed on record death certificate of the applicant (marked Exh. X for identification).

3. Heard ld. Counsel for the applicant. **The O.A. is disposed of with no order as to costs.**

**Member (J)**

**Date:- 03/05/2023.**

aps.



O.A.No.573/2020 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri S.A.Sainis, ld.  
P.O. for the respondents.

2. The ld. P.O. has filed reply on behalf of the respondent no. 2. It is taken on record. He submits that he will serve it to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

4. The ld. P.O. waives notice for the respondents.

5. **S.O. 01<sup>st</sup> Week of July, 2023.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Member (J)**

**Date:- 03/05/2023.**  
aps.

O.A.No.818/2021 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri V.R.Borkar, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 1, 2 & 4. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

4. The ld. P.O. waives notice for the respondents.

5. **S.O. after summer vacation.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Date:- 03/05/2023.**  
aps.

**Member (J)**

O.A.No.99/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. The ld. P.O. has filed reply on behalf of the respondents 1 to 4. It is taken on record. Copy is served to the other side. He further submits that it is sufficient to decide the matter.

3. Hence, O.A. is **admitted** and kept for final hearing.

4. The ld. P.O. waives notice for the respondents.

5. **S.O. in due course.**

6. *Meanwhile, the ld. counsel for the applicant is at liberty to file Rejoinder, if any.*

**Date:- 03/05/2023.**  
aps.

**Member (J)**

**O.A.No.108/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Ms. R.N.Gaikwad, ld. Counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents and Shri A.S.Deshpande holding for Ms. U.A.Patil, ld. Counsel for the R-5.

2. At the request of ld. P.O., **S.O. 02<sup>nd</sup> week of June, 2023.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

**O.A.No.251/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. The respondents seek time to file reply. It is submitted on behalf of the applicant that his representation dated 13.02.2023 (A-11) is pending before Respondent no. 1. It is submitted that respondent no. 1 be directed to decide said representation before the returnable date. Respondent no. 1 shall decide the representation dated 13.02.2023 (A-11) before 19.06.2023.

3. **S.O. 21.06.2023.**

4. **Steno copy is granted.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.224/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. 03<sup>rd</sup> week of June, 2023.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

O.A.No.234/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.Kulkarni, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. last week of June, 2023 as a last chance.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

O.A.No.240/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. At the request of ld. P.O., **S.O. last week of June, 2023 to file reply.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**



O.A.Nos.308&309/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri V.R.Borkar, ld. Counsel for the applicants and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. At the request of ld. Counsel for the applicant, **S.O. after summer vacation.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.20/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

**C.A.No.170/2023 :-**

Heard Shri R.V.Shiralkar, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 08.06.203** for filing reply on condonation of delay, in case no reply is filed before the returnable date the application for condonation of delay shall be heard on its own merits.

**Date:- 03/05/2023.**  
aps.

**Member (J)**

O.A.No.317/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri S.A.Sainis, Id.  
P.O. for the respondents. C.F. applicant has not  
collected hamdast for R-2 to 5.

2. **S.O. after summer vacation for serving  
the notices.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

O.A.No.740/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri A.A.Mankar, ld. Counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. after summer vacation for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.835/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri S.A.Sainis, ld.  
P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. after  
summer vacation for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.834/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri V.A.Kulkarni, ld.  
P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. after  
summer vacation for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.Nos.935&936/2022 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.P.Palshikar, Id. Counsel for the applicant and Shri V.A.Kulkarni, Id. P.O. for the respondents.

2. On oral request of Id. P.O., **S.O. 09.06.2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.1063/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Ms.A.S.Uikey, ld. Counsel for the applicant and Shri A.P.Potnis, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 03<sup>rd</sup> week after summer vacation for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.



O.A.No.1065/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.A.Puranik, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 09.06.2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

O.A.No.1241/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri A.M.Khadatkar,  
ld. P.O. for the respondents. None for the R-2 & 3.

2. On oral request of ld. P.O., **S.O. after  
summer vacation for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.1169/2022 (S.B.)**  
**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

**C.A.No.235/2023:-**

Heard Ms. A.Singh, Id. Counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. By order dated 27.04.2023 the Hon'ble Bombay High Court disposed of Writ Petition No. 599/2023 by observing as follows:-

*"6. Considering the fact that the proceedings are still pending before the Tribunal and the limited dispute is with regard to relieving the petitioner in accordance with the prescribed procedure, the following order would meet the ends of justice since a workable arrangement would have to be made to facilitate administration of the said office.*

*(i) The petitioner shall be permitted to re-join his duties on the post of Assistant Project Officer (Education) at Gadchiroli.*

*(ii) In case the respondents propose to relieve the petitioner in terms of the order of transfer dated 24/11/2022, such course is permitted to be taken after seven days of permitting the petitioner to join at the said place.*

*(iii) The petitioner is at liberty to move an application for interim relief before the Tribunal in the meanwhile. If such application is made, the Tribunal is requested to consider the same as well as Original Application expeditiously and decide the same preferably by 15/06/2023.*

*(iv) Keeping all points on merit open, the writ petition is disposed of. Rule accordingly. No costs."*

3. It is submitted by the Advocate for the applicant that as per order of the Hon'ble High Court he has been permitted to rejoin his duties on the post of Assistant Project Officer (Education) at Gadchiroli.

4. It is the apprehension of the applicant that in case the respondent takes step to relieve the applicant in terms of the order of transfer dated 24.11.2022 the applicant would suffer an injury.

5. It is further submitted by the Advocate for the applicant that the High Court had given him liberty to move an application for interim relief before this Tribunal so as to protect his interest in the meantime. While granting this opportunity the High Court has observed that this Tribunal shall consider the application for interim relief as well as the original application expeditiously and decide the same preferably by 15.06.2023.

6. The matter can be finally heard expeditiously as directed by the High Court. The O.A. be kept for final hearing on 09.06.2023.

7. In the meantime, if the respondents proceed to pass an order of relieving the petitioner in terms of the order of transfer dated 24.11.2022, the applicant would be at liberty to approach this Tribunal seeking interim order.

8. **S.O. 09.06.2023.**

9. **Steno copy is granted.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.Nos.34&66/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. The respondents have placed on record recommendation made by respondent no. 3 to reinstate the applicant. It is submitted that if respondent no. 4 is directed to consider the said recommendation and take decision on it within the time to be stipulated by the Tribunal, purpose of the applicant could be served.

3. Respondent no. 4 shall consider and take decision on the recommendation made by respondent no. 3 for reinstatement of the applicant in the ensuing review committee meeting. With this direction the **O.A. is disposed of with no order as to costs.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.38/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri R.M.Fating, Id. Counsel for the applicant, Shri V.A.Kulkarni, Id. P.O. for the respondents and Shri A.S.Deshpande holding for Ms. U.A.Patil, Id. Counsel for the R-3.

2. On oral request of Id. P.O., **S.O. 03<sup>rd</sup> Week of June, 2023 for reply.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

**O.A.No.59/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Smt. Thakur, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 03<sup>rd</sup> Week of June, 2023 for reply as a last chance.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.99/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri G.G.Bade, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 13.06.2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.



**O.A.No.103/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri A.P.Khadatkar, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Ld. P.O. has filed reply of respondent no. 6. It is taken on record. Copy is served to the other side.

3. On oral request of ld. P.O., **S.O. last week of June for filing reply of other respondents.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.No.112/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Ms. R.T.Gosavi holding for Shri G.N.Khazode, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. last week of June, 2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri K.S.Motwani, Id. Counsel for the applicant and Shri M.I.Khan, Id. P.O. for the respondents.

2. In this O.A. order dated 01.02.2023 is impugned. Relevant para of the impugned order reads as under:-

“आपणांस मा. उपसंचालक यांच्या आदेशान्वये दिनांक ०१.११.२०१८ रोज आपली मुळ पदस्थापना जिल्हा शल्य चिकित्सक, सामान्य रुग्णालय, जिल्हा भंडारा येथे असल्यामुळे आपणांस या संस्थेतुन दिनांक ०३.०२.२०२३ रोजी (प्रतिनियुक्तीवरून) मध्यान्हानंतर कार्यमुक्त करण्यात येत आहे.”

3. It is the grievance of the applicant that representations made by him seeking transfer from Bhandara to Nagpur are pending before the respondent authorities.

4. Further grievance of the applicant is that respondent no. 3 has no right to call upon him to supply information on various points and said act of respondent no. 3 was arbitrary and malafide.

5. It is submitted on behalf of the applicant that sufficient opportunity was given to the respondents to file reply but no reply has been filed as yet. In this background the applicant prays for passing an interim order.

6. Statement is made by Advocate for the applicant that the applicant has not been relieved as yet.

7. Ld. P.O. seeks further time to file reply.

8. In the aforesaid factual background I have come to the conclusion that a case is made out to stay the effect and implementation of the impugned order till reply is filed. Effect and implementation of the impugned order dated 01.02.2023 (A-1) is stayed till reply is filed by the respondents.

9. **S.O. 03<sup>rd</sup> Week of June, 2023.**

10. **Steno copy is granted.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

O.A.No.164/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. after summer vacation.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.No.199/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri R.M.Fating, Id. Counsel for the applicant, Shri M.I.Khan, Id. P.O. for the respondents and Shri A.Motlog holding for Shri H.D.Marathe, Id. Counsel for the R-2.

2. On oral request of Id. P.O., **S.O. 02<sup>nd</sup> week of June, 2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.200/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 03<sup>rd</sup> Week of June, 2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.No.209/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 02<sup>nd</sup> Week of June, 2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.



**O.A.No.255/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

**C.A.No.171/2023:-**

Heard Shri P.S.Patil, Id. Counsel for the applicant, Shri A.M.Ghogre, Id. P.O. for the respondents 1, 2 & 5, Shri Bhattacharya holding for Shri N.S.Warulkar, Id. Counsel for the respondent no. 3 and Shri A.P.Sadavarte, Id. Counsel for the R-4.

2. Shri Ghogre waives service for respondent no. 5 who was subsequently added.

3. In this O.A. order dated 08.03.2023 (A-VI) is impugned. The order reads as under:-

अ. क्र.	जिल्हा जलसंधारण अधिकारी (स्थापत्य) यांचे नाव	दिनांक ०९.०२.२०२३ रोजीच्या आदेशान्वये बदली करण्यात आलेले ठिकाण	दिनांक ०९.०२.२०२३ रोजीच्या आदेशात अंशतः बदल करून सुधारित पदस्थापना देण्यात आलेले ठिकाण
१	श्री संजय कृष्णराव मुंदाने, उपविभागीय जलसंधारण अधिकारी, जिल्हा परिषद (लघु पाटबंधारे) उप विभाग, धारणी जि. अमरावती	उपविभागीय जलसंधारण अधिकारी, मृद व जलसंधारण उपविभाग, आर्वी जिल्हा वर्धा (श्री सुरेश देवराव ससाणे यांची सेवा त्यांच्या मूळ जलसंपदा विभागास प्रत्यार्पित करून रिक्त होणा-या पदावर)	उपविभागीय जलसंधारण अधिकारी, मृद व जलसंधारण उपविभागीय, मोर्शी जि. अमरावती (श्री विलास रामरावजी बाबरेकर यांची सेवा त्यांच्या मूळ जलसंपदा विभागास प्रत्यार्पित करून रिक्त होणा-या पदावर)

4. On 10.03.2023 this Tribunal observed as follows:-

*"2. The applicant is transferred as per the order dated 08/03/2023 to adjust the respondent no.4, Shri Sanjay Krushnarao Mundane. It appears that the respondent*

*no.4 was transferred after complying the provisions of the Section 4 (4) & 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (in short "Transfers Act,2005"). But the said order was modified and he is posted in place of the applicant and the applicant is transferred to Water Resources Department. It appears that the transfer of the applicant is not as per the provisions of the Section 4 (4) & 4(5) of the Transfers Act, 2005. It is a mid-term transfer. Hence, the impugned order dated 08/03/2023 is stayed till filing of reply."*

5. On 21.04.2023 this Tribunal noticed that though the documents at P. 82 (A-5) and P. 173 (A-R-7) were copies of the same communication made by respondent no. 5, the copies bear different dates. The copy at P. 82 bears the date 13.03.2023 whereas the copy at P. 173 bears the date 10.03.2023. Regarding this discrepancy no explanation has been given.

6. It is submitted by Id. Counsel for the respondent 4 and Id. P.O. for the respondents 1, 2 & 5 that the applicant ought to have challenged order of his repatriation (A-4) which is also dated 08.03.2023, he has not done so and on this sole count the impugned order passed by this Tribunal deserves to be vacated. In reply, it is submitted by Advocate Shri P.S.Patil for the applicant that even to order of repatriation provisions of Sub Sections 4 & 5 of Section 4 of the Transfer Act would be applicable. In support of this submission reliance is placed on **State of Maharashtra Vs. Dr. (Ms.) Padmashri Shriram Bainade & Ors. 2015 (2) Mh.L.J. 679 (Bombay High Court)**. According to Advocate for respondent no. 4, the ruling on which the applicant desires to rely will not apply to the facts of the case.

7. Record shows that after considering the case put forth by the applicant this Tribunal *prima facie* came to the conclusion that while passing the order of repatriation/ transfer of the applicant Sub Sections 4 & 5 of Section 4 of the Transfer Act were not followed whereas while passing the order of transfer of respondent no. 4 these provisions were followed. Primarily on the basis of this *prima facie* conclusion the Tribunal stayed the order which is impugned in the O.A. which is at A-A-VI.

8. As mentioned above, there are contrary versions regarding date of one communication made by respondent no. 5. This aspect may also have some bearing on merits of the matter.

9. In the facts and circumstances discussed above I have come to the conclusion that no case is made out for vacating the interim order. The matter can be heard finally at the earliest. It be kept for final hearing on **12.06.2023**.

10. In view of this order, **C.A. No. 171/2023 is disposed of.**

11. **S.O. 12.06.2023.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.No.273/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri B.Kulkarni, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 03<sup>rd</sup> Week of June, 2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.274/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

**C.A.No.130/2023:-**

None for the applicant. Shri A.M.Ghogre, ld.  
P.O. for the State.

2. **C.A.No. 130/2023 for Jt. O.A. is allowed.**

3. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. 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 O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. 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.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. four weeks.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.Nos.278&279/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri A.P.Sadavarte, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Ld. P.O. seeks time to file reply. Ld. Counsel for the applicant objects to grant time to file reply. Time is granted till **02<sup>nd</sup> week of June, 2023 to file reply.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

O.A.No.294/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri B.Kulkarni, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. four weeks for reply.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.



O.A.No.298/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. four weeks for reply.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.No.356/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri G.K.Bhusari, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant states that all the respondents have been served and service affidavit is filed in the office. Ld. P.O. seeks time to file reply, **S.O. four weeks.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.No.372/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri H.D.Dangre holding for Shri R.M.Fating, ld. Counsel for the applicant, Shri A.M.Ghogre, ld. P.O. for the respondents and Shri D.M.Kakani, ld. Counsel for the Caveator/R-3.

2. On oral request of ld. P.O., **S.O. 02<sup>nd</sup> week of June, 2023 for reply.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.373/2023 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.C.Deshmukh, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Rejoinder filed by the applicant is taken on record. Pleadings are completed.

3. **Admitted.**

4. Ld. P.O. waives notice for the respondents.

5. S.O. 05.06.2023 for final hearing.

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.410/2023 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

**C.A.No.225/2023:-**

Heard Smt. P.Joshi, ld. Counsel for the applicant and Shri H.K.Pande, ld. P.O. for the State.

2. **C.A.No.225/2023 for Jt. O.A. is allowed.**

3. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. 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 O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. 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.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. four weeks.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri A.P.Sadavarte, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on 03<sup>rd</sup> Week Of June, 2023. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed

**three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. 03<sup>rd</sup> Week Of June, 2023.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.



**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.P.Palshikar, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on 03<sup>rd</sup> Week Of June, 2023. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed

**three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. 03<sup>rd</sup> Week Of June, 2023.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri P.Ramteke, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the State.

2. Issue notice to Respondents, returnable on 03<sup>rd</sup> Week Of June, 2023. Learned P.O. waives notice for R-1. Hamdast allowed.

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 O.A. Respondent is 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 acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed

**three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. 03<sup>rd</sup> Week Of June, 2023.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.

**O.A.No.421/2023 (S.B.)**  
**Coram : Shri M.A.Lovekar, Member (J)**  
**Dated : 03/05/2023.**

Heard Ms. A.Singh, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the State.

2. In this O.A. the applicant is challenging the order of recovery (A-4). In support of prayer for stay to the impugned recovery, the applicant has relied on **State of Punjab & Ors. Vs. Rafiq Masih (White Washer) AIR 2015 SC 1267**. It is the submission of the applicant that the applicant's case is covered by following two clauses enumerated in para no. 18 of the judgment:-

*(i) Recovery from employees belonging to Class-III and Class-IV service (or Group 'C' and Group 'D' service).*

*(ii) Recovery from retired employees, or employees who are due to retire within one year, of the order of recovery.*

3. There is *prima facie* merit in this submission.

4. Hence, effect and implementation of the impugned order of recovery (A-4) is stayed till filing of the reply. It is specified that no recovery shall be effected from the applicant pursuant to any of the earlier communications.

5. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

7. 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 O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. 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.

9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

10. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

11. **S.O. four weeks.**

**Date:- 03/05/2023.**  
aps.

**Member (J)**

**O.A.No.569/2018 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri R.V.Shiralkar, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

2. On oral request of Id. P.O., **S.O. 03<sup>rd</sup> Week of June, 2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.987/2018 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri P.N.Warjekar, Id. Counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the respondents.

2. Rejoinder filed by the applicant is taken on record.

3. On oral request of Id. P.O., **S.O. 03<sup>rd</sup> Week of June, 2023 for final hearing.**

**Member (J)**

**Date:- 03/05/2023.**  
aps.



O.A.No.340/2019 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri N.R.Saboo, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Ld. Counsel for the applicant has pointed out para 12 of reply of respondents 1 to 4 which reads as under:-

*"It is specifically submitted here that the Deputy Conservator of Forest, Yavatmal Division, Yavatmal issued reinstatement order of the applicant Shri Hirachand Manmohan Mishra vide order dated 02.08.2029"*

3. In view of this, development nothing survives in this O.A.. **It is accordingly disposed of with no order as to costs.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.584/2019 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri M.Chandekar, ld. Counsel for the applicant and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 12.06.2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.848/2021 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri S.A.Marathe, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 04.05.2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.107/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri A.M.Ghogre, Id.  
P.O. for the respondents.

2. On oral request of Id. P.O., **S.O. after  
summer vacation.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.534/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri A.M.Khadatkar,  
ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. after  
summer vacation.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

**O.A.No.856/2022 (S.B.)**

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri A.Motlog holding for Shri V.B.Bhise, ld. Counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 13.06.2023.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.990/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri V.A.Kulkarni, ld.  
P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. after  
summer vacation.**

**Member (J)**

**Date:- 03/05/2023.**

aps.

O.A.No.1179/2022 (S.B.)

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

None for the applicant. Shri A.M.Khadatkar,  
ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. after  
summer vacation.**

**Member (J)**

**Date:- 03/05/2023.**

aps.



**O.A.No.39/2023 with C.A.No.37/2023 (S.B.)**

Smt.G.M.Chawhan Vs. State of Mah. & 4 Ors.

**Coram : Shri M.A.Lovekar, Member (J)**

**Dated : 03/05/2023.**

Heard Shri M.Mishra, ld. Counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. The principal prayer made in the O.A. is as follows:-

*“To direct the respondents to retain the applicant in the present posting till May 2023, in view of the provisions of the Transfer Act.”*

3. Ld. P.O. submits that the process of Annual General Transfers is underway and in all probability it will be completed by the end of this month.

4. Considering the principal relief claimed by the applicant and the submission made by the ld. P.O. following order shall meet ends of justice.

#### **ORDER**

The O.A. is allowed in the following terms:-

- A. The respondents are directed to retain the applicant on the post presently held by him till the end of May, 2023/till the date of passing of Annual General Transfer orders whichever is earlier.
- B. Hence, **O.A. as well as C.A. stands disposed of** with no order as to costs.

**Date:- 03/05/2023.**  
aps.

**Member (J)**

