

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NOS 34 & 35 OF 2021**

**DISTRICT : PUNE**

**1) ORIGINAL APPLICATION NO. 34 OF 2021**

Shri Anil Rohidas Rikibe )  
Working as Police Sub Inspector, )  
Office at Dighi Alandi Traffice Section, )  
Dehu Pata, Alandi, Pimpri Chinchwad, )  
Pune. )...**Applicant**

**Versus**

1. The State of Maharashtra )  
Through Addl. Chief Secretary, )  
Home Department, Mantralaya, )  
Mumbai 400 032. )  
2. Director General of Police, )  
Maharashtra State, Mumbai. )  
Shahid Bhagat Singh Marg, )  
Colaba, Mumbai 400 001. )  
3. Commissioner of Police, )  
Pimpri Chinchwad, )  
Premlok Park, )  
Chinchwad, Pune 411 033. )...**Respondents**

**2) ORIGINAL APPLICATION NO. 35 OF 2021**

Shri Sunil Baban Khandagale )  
 Working as Assistant Sub Inspector, )  
 Office at Crime Branch, )  
 Commissioner of Police, )  
 Sadhu Vaswani Chowk, Church Path, )  
 Agarkar Nagar, Pune 411 001. )...**Applicant**

**Versus**

1. The State of Maharashtra )  
 Through Addl. Chief Secretary, )  
 Home Department, Mantralaya, )  
 Mumbai 400 032. )  
 2. Director General of Police, )  
 Maharashtra State, Mumbai. )  
 Shahid Bhagat Singh Marg, )  
 Colaba, Mumbai 400 001. )  
 3. Commissioner of Police, )  
 Pune City, Sadhu Vaswani Chowk )  
 Church Path, Agarkar Nagar, )  
 Pune 411 001. )...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM : Justice Mridula R. Bhatkar (Chairperson)**

**DATE : 18.01.2021**

**ORDER**

1. Heard Smt Punam Mahajan, learned advocate for the Applicants and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents

2. The applicant in O.A 34/2021, who was working earlier as Assistant Sub Inspector was promoted by order dated 20.10.2020 to the post of Police Sub Inspector and posted to Pimpri Chinchwad Police Commissionerate from Pune City Police Commissionerate.

3. The applicant in O.A 35/2021, who was working as Assistant Sub-Inspector, Pimpri Chinchwad Police Commissionerate was promoted to the post of Police Sub-Inspector by order dated 20.10.2020 and was posted at Pune Police Commissionerate.

4. Learned counsel Ms Mahajan, submits that request of as many as 247 Police Officers who were also promoted like the applicants was considered and their posting orders were modified and they were given posting in the same place which was their earlier posting. The applicants are due to retire in three to five years. Therefore, learned counsel for the applicants submits that on parity their cases are also to be considered and they should be posted at their earlier place of posting from where they were transferred on promotion.

5. The representation of the applicants dated 2.11.2020 in O.A 34/2021 and 31.10.2020 in O.A 34/2021 was not forwarded to office of the Director General of Police who is the competent authority to modify their order of posting and their application was

considered only at the level of Commissioner of Police and the same was rejected by order dated 11.12.2020

6. Learned Chief Presenting Officer submits that the representation by the applicant in O.A 34/2021 is made subsequent to the issuance of modification order on 29.10.2020. It is pointed out that by order dated 29.10.2020 the Police Officers who were promoted out of Pune City, their cases were considered and they were given promotions in Pune City itself.

7. I have gone through the modified transfer order dated 29.10.2020. It shows that the Police Officers who were brought back to their earlier postings were transferred to either out of District or at distant places in State of Maharashtra on promotion. However, considering their age, which is about 50 years or as they are nearing their retirement, the Respondents have rightly considered their convenience mainly on the ground of distance and displacement of the family.

8. In the case of the present two applicants, though they are going to retire within two to four years, they are not posted on promotion to any other District or distant places in State of Maharashtra. Though Pimpri Chinchwad is out of the limits of Pune Municipal Corporation and it is a separate Police Commissionerate, the distance between Pune Commissionerate and Pimpri Chinchwad Police Commissionerate is not more than 30 kms at the most, as the borders of both the Municipal Corporations are touching each other. There won't be any incidence of displacement of the families of respective applicants and so also there is no much distance for the applicants to cover to reach to their work place from their respective homes. Thus, the purpose of issuing modification order of other Police Officers who

were distantly posted is not violated in respect of these two applicants. Hence, there is no question of applying the parity in these two cases. The decision of Commissioner of Police in rejecting the representation of the applicant in O.A 34/2021 was correct as there is no merit.

9. In view of the above, both the applications are summarily dismissed.

**Sd/-**  
**(Mridula Bhatkar, J.)**  
**Chairperson**

**Place : Mumbai**  
**Date : 18.01.2021**  
**Dictation taken by : A.K. Nair.**