

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 1149 of 2022 (S.B.)**

Madhuri D/o Laxmanrao Petkar  
(Mrs. Madhuri W/o Suryakant Meshram)  
Aged 44 years, Occupation : Service,  
R/o Flat No. 202 AAB residency, Plot No. 63, Banargi Layout,  
Bhagwan Nagar, Post Office: Parvatinagar, Nagpur.

**Applicant.**

**Versus**

- 1) State of Maharashtra,  
Through its Principal Secretary,  
Public Health Department, 10th Floor,  
G.T. Hospital Complex Building, Fort, Mumbai-01.
- 2) Commissioner of Public Health  
Government of Maharashtra  
"Arogya Bhawan" St. Georges  
Campus P-Dmelo Road, Mumbai-01.
- 3) Director of Public Health (Nursing)  
"Arogya Bhawan" St. Georges  
Campus P-Dmelo Road, Mumbai-01.
- 4) Medical Superintendent,  
Daga Memorial Government Women  
Hospital, Nagpur.

**Respondents.**

---

**S/Shri N.D. & T.N. Thombre, Advocates for the applicant.**  
**Shri A.M. Ghogre, learned P.O. for respondents.**

---

**Coram :- Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated :- 11/01/2023.**

---

## J U D G M E N T

Heard Shri N.D. Thombre, learned counsel for the applicant and Shri A.M. Ghogre, learned P.O. for respondents.

2. The matter is decided finally with the consent of learned counsel for parties.

3. The applicant has prayed the following relief –

*“Direct the respondents particularly the respondent nos.2 and 3 to consider her request for transfer at Nagpur during the next transfer season of 2023 empathetically.”*

4. The applicant was initially appointed as a Staff Nurse by the respondents and joined on the said post on 22/02/2000. Thereafter, the applicant was promoted as a Tutor on 15/01/2007 and was working with the respondent no.4 before her transfer by order dated 09/08/2021.

5. Because of some genuine difficulty, the applicant could not join on the said transferred place. She made several representations to the respondents to modify her transfer order and prayed to transfer at Nagpur on the ground that her husband is transferred from Bhopal to Nagpur on request. In spite of various representations, the respondents have not modified transfer order and therefore she approached to this Tribunal with a prayer for direction to the

respondents to consider her request for transfer at Nagpur during the next transfer season of 2023.

6. As per the Government policy, the husband and wife to be posted at the same place. The respondents may take decision and may transfer the applicant to Nagpur as requested by her. Hence, the following order –

**ORDER**

(i) The O.A. is allowed.

(ii) The respondent nos.2 and 3 are directed to consider applicant's request for transfer at Nagpur during the next transfer season of 2023.

(iii) No order as to costs.

**Dated** :- 11/01/2023.

**(Justice M.G. Giratkar)**  
**Vice Chairman.**

dnk.

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 11/01/2023.\*