

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/ 3092 /2016  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date :

**ORIGINAL APPLICATION NO. 412 OF 2016.  
(Sub :-Transfer)**

1. Mrs. Shaila S. Kamble,  
R/o. ESIS Hospital Staff Quarters Type 5 B-2, Flat No. 10, LBS Marg,  
Mulund (w), Mumbai-80.

**....APPLICANT/S.**

**VERSUS**

- |  |   |
|--|---|
| 1 The State of Maharashtra, through<br>The Director, St. George Hospital,<br>Health Services, Mumbai.                | 2 Director, Health Services, Mumbai,<br>Director, Arogya Bhavan, St.George<br>Hospital Compound, Mumbai,<br>P.D. Mello Road, Mumbai-01. |
| 3 The Deputy Director Sushrusha,<br>Health Services, M.S., Arogya<br>Bhavan, St. George Hospital<br>Compund, Mumbai. | 4 The Civil Surgeon, District Civil<br>Hospital, Thane.   |

**...RESPONDENT/S**

Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 19<sup>th</sup> day of **August, 2016** has made the following order:-*

APPEARANCE : Shri. Chahel P.A. Singh, Advocate for the Applicant.  
Shri N.K. Rajpurohit, C.P.O. for the Respondents.

CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER (J).**

DATE : **19.08.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

*Final*  
*22/8/2016*  
**Research Officer,  
Maharashtra Administrative Tribunal,  
Mumbai.**

Tribunal's orders

**O.A.412/2016**

**Shri S.S. Kamble** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

Heard Shri Chahel P.A. Singh, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

This OA can be disposed of at this stage itself.

The Applicant brought this OA stung by the order of transfer from Thane to Sindhudurg. She, in fact, wanted her to be transferred to Thane itself for personal reasons including her own health problem. That request was not considered favourably and hence, this OA was brought.

From a document placed on record being a letter of 27<sup>th</sup> June, 2016 from Director of Health Services, Bombay to the Deputy Director, Health Services, Thane, it has been informed that there was a vacancy in the Police Hospital, Nagpada of the equivalent post which the Applicant could be accommodated in. The learned Advocate for the Applicant submits that at the moment, the Applicant was ready and willing to unconditionally join the said Hospital at Nagpada. However, she will make a request for transfer back to Thane which may be sympathetically considered.

In my opinion, even with the jurisdictional constraints, such an order can be made, and therefore, this OA is disposed of with a direction that the Applicant may report for duties in Police Hospital, Nagpada within one week from today and thereafter, if she makes an application in the nature of request for being transferred and posted at Thane, her request may be sympathetically considered. With these directions, the OA is disposed of with no order as to costs.

*sd/ R.B. Malik*  
 (R.B. Malik)  
 Member (J)  
 19.08.2016

(skw)

TRUE COPY

*Chahel*  
 22/8/2016  
 Chief Presenting Officer  
 Maharashtra State Tribunal  
 Mumbai