MAHARASHTRA ADMINISTRATIVE TRIBUNAL,

NAGPUR BENCH, NAGPUR

ORIGINAL APPLICATION NO.44/2019. ***(S.B.)***

Sudhakar Pundlik Lute,
Aged about 51 years,
Occ-Service,
R/o Vidya Nagar, Nagpur Road,
Bhandara. **Applicant.**

-**Versus-**

1) The State of Maharashtra,
Through its Secretary,
General Administration Department,
Mantralaya, Mumbai-400 032.

2) The Director,
Department of Sainik Welfare, (M.S.),
Rajgadh Building, In front of National War Monument,
Ghorpadi, Pune-01.

3) The District Sainik Welfare Officer,
Bhandara.

4) The District Sainik Welfare Officer,
Nagpur, Administrative Building No.1,
Civil Lines, Nagpur. **Respondents**

Shri G.G. Bade, the learned Advocate for the applicant.
Shri S.A. Deo, the learned C.P.O. for the respondents.

Coram:-The Hon'ble Shri Justice A.H. Joshi,
Chairman

JUDGMENT

(Delivered on this 29th day of January 2019.)

Heard Shri G.G. Bade, the learned Advocate for the applicant Shri S.A. Deo, the learned C.P.O. for the respondents.

2. Applicant, a Clerk/Typist in the office of Zilla Sainik Board posted in District Sainik Board, Nagpur has been transferred to Zilla Sainik Board, Bhandara by order dated 24.12.2018.

3. Applicant claims that he has been relieved by Nagpur office, however, the Respondent No.2 has not allowed him to join and has addressed a letter to Director of Sainik Kalyan Department, Pune dated 14.1.2019.

4. Text of letter dated 14.1.2019 Annexure A-8 page 34 is quoted below:-

"प्रती, मा. संचालक,
सैनिक कल्याण विभाग,
महाराष्ट्र राज्य, रायगढ इमारत,
राष्ट्रीय युद्ध स्मारकासमोर,
घोरपडी, पुणे०१.

विषय:- मध्यावधी (Mid-Term) बदली प्रस्तापसा वरिष्ठ प्राधिकार्यांची मान्यता मिळणेबाबत. श्री सुधाकर पुंडलिक लुटे, लिपिक टंकलेखक.

संदर्भ:- १. आपले पत्र क्र.१२०८८/सैकवी-२/नागपूर/२०६ दि. १४.१.२०१९.२.
२. आपले पत्र क्र.१२०८८/सैकवी-२/नागपूर/३७८९ दि. २४.१२.२०१९.

महोदय,

१. उपरोक्त विषयी कळविण्यात येते कि, आपले पत्र क्र. १२०८८/सैकवी-२/नागपूर/३७८९ दि. २४.१२.२०१९ अन्वये वरील कर्मचाऱ्याचे कार्यमुक्त आदेश संबंधित कार्यालयाकडून या कार्यालयाला आजपर्यंत प्राप्त झालेले नाही.

२. आपणास विनंती करण्यात येते कि, संबंधित कार्यालयाला संदर्भ क्र. २ अन्वये कार्यमुक्त आदेश पारित करण्याबाबत निर्देश देण्यात यावे.

माजी लेफ्टनंट नितीन ज. पांडे
जिल्हा सैनिक कल्याण अधिकारी भंडारा."

5. Applicant has not pleaded or produced on record any evidence to show the reasons and grounds to demonstrate that:-

(a) Contents of letter dated 14.1.2019, Page 34 are factually incorrect, false or contrary to record or otherwise wrong.

(b) Letter dated 14.1.2019 is contrary to mandatory provision of law.

(c) Grounds on which writ of mandamus can be issued.

6. In view of foregoing deficiencies in the O.A. which go to the root of case, O.A. has no merit.

7. Hence O.A. is dismissed with costs.

(Justice A.H.Joshi)
Chairman

Dated: 29.1.2019
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