

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION No. 464 of 2023 (S.B.)

Sachin Sursh Khode,
Aged about 46 years, Occu: Assistant Geologist,
R/o-61, Lotus Apartment, Diamond Nagar, Behind Ramna -Maroti
Lawn, Nagpur - 24.

Applicant.

Versus

- 1) The Secretary,
Department of Water Supply & Sanitation,
Lokmanya Tilak Marg, New Mantralaya Building, Mumbai - 01.
- 2) The Commissioner,
Ground Water Survey & Development Agency,
New Agricultural Building, 1st Floor,
Bhoojal Bhawan, Shivaji Nagar, Pune - 05.
- 3) The Deputy Director, Ground Water Survey & Development
Agency, Civil Lines, Nagpur-01.

Respondents.

Shri S.M. Khan, Advocate for the applicant.
Shri M.I. Khan, learned P.O. for respondents.

Coram :- Hon'ble Shri Justice M.G. Giratkar, Vice Chairman.
Dated :- 12/07/2023.

JUDGMENT

Heard Shri S.M. Khan, learned counsel for the applicant
and Shri M.I. Khan, learned P.O. for the respondents.

2. The applicant was transferred from Gondia to Jalgaon. As
per the submission of learned counsel for applicant, two posts are
vacant at Wardha and Zilla Parishad, Bhandara. As per the direction
of this Tribunal, the representation was made by the applicant.

3. The Id. P.O. has pointed out para nos. 9 and 10 of the reply. As per this reply, the representation /preferences of the applicant dated 24/02/2023 is submitted to the competent authority i.e. the Minister of Water Supply Sanitation for reconsideration.

4. In para-10, it is submitted that as per the decision of Maharashtra Administrative Tribunal dated 19/06/2023, the applicant has given application dated 20/06/2023 and the same has been submitted to the Minister of Water Supply Sanitation.

5. There is no dispute that the applicant is already relieved. Hence, stay to the impugned order cannot be granted. Stay was not granted on merit also. The applicant is already relieved. Moreover, as per the reply, the service of the applicant is necessary at Jalgaon for the scheme floated by the Central Government. Five posts are vacant at Jalgaon. Hence, the impugned transfer order cannot be said to be illegal. Hence, the following order –

ORDER

(i) The O.A. is dismissed with no order as to costs.

(ii) However, the respondents may decide the representation of the applicant sympathetically.

Dated :- 12/07/2023.

(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 : 12/07/2023.