

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**NAGPUR BENCH NAGPUR**

**ORIGINAL APPLICATION NO. 601/2014.**

Shivaji Vishwanath Giri,  
Aged about 56 years,  
Occ : Dy. Chief Executive Officer (Gen.),  
Zilla Parishad, Chandrapur.

**Applicant.**

**Versus**

- 1) The State of Maharashtra,  
through its Principal Secretary,  
Department of Rural Development  
and Water Conservation,  
25, Bandhkam Bhavan, Marzaben Road,  
Mumbai-400 001.
- 2) The Chief Executive Officer,  
Zilla Parishad, Chandrapur.
- 3) Shri V.M. Jadhao,  
Dy. Chief Executive Officer (Gen.),  
Zilla Parishad, Wardha.

**Respondents**

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Shri G.K. Bhusari, Ld. Advocate for the applicant.  
Shri P.N. Warjekar, learned P.O. for respondent No.1.  
None for the respondent Nos.2 and 3.

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**Coram:- Justice M.N. Gilani, Member (J).**

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**Dated: - 5<sup>th</sup> January 2016.**

**Oral order**

The applicant while holding the post of Principal,  
Gramsevak Training Centre, Sindewahi, District Chandrapur came to  
be transferred as Dy. Chief Executive Officer (General), Zilla  
Parishad, Buldana.

2. As on 30.5.2014, the applicant was transferred from the post of Principal, Gramsevak Training Centre, Sindewahi, District Chandrapur to the said post, however, at Buldana. The applicant did not join the said post till modification of the order dated 25.8.2014. As per modification order, he was posted as Dy. Chief Executive Officer (General), Zilla Parishad, Chandrapur. It is the case of the applicant that, he joined the said post on 26.8.2014. On 30.8.2014, the order was stayed by the respondents. It further culminated into the order dated 11.9.2014, re-transferring the applicant to the post of Principal, Gramsevak Training Centre, Sindewahi, District Chandrapur. On various grounds, he assailed the order of his transfer from the post of Dy. Chief Executive Officer (General), Zilla Parishad, Chandrapur to the post of Principal, Gramsevak Training Centre, Sindewahi, District Chandrapur. When this O.A. was filed, he completed 56 years of age and is now on the verge of retirement.

3. The learned counsel for the applicant states that, the applicant is contented with his posting as Principal, Gramsevak Training Centre, Sindewahi, District Chandrapur. In that view of the matter, this O.A. does not survive.

4. However, in view of the fact that the applicant was required to move from Sindewahi to Chandrapur in pursuance of the

order of transfer dated 25.8.2014 and also in view of the fact that he had joined there and was again subjected to transfer to his original posting, he will be entitled to transfer allowance; firstly for his transfer from the post of Principal, Gramsevak Training Centre, Sindewahi, District Chandrapur to the post of Dy. Chief Executive Officer (General), Zilla Parishad, Chandrapur and secondly, on account of his re-transfer from the post of Dy. Chief Executive Officer (General), Zilla Parishad, Chandrapur to the post of Principal, Gramsevak Training Centre, Sindewahi, District Chandrapur. In case, necessary bills are submitted, it is expected of the respondents to honour the same according to law. O.A. stands disposed of.

(M.N.Gilani)  
Member (J)

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