

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

**ORIGINAL APPLICATION NO.774 OF 2022
WITH
ORIGINAL APPLICATION NO.804 OF 2022
ORIGINAL APPLICATION NO.867 OF 2022
ORIGINAL APPLICATION NO.868 OF 2022
ORIGINAL APPLICATION NO.869 OF 2022
ORIGINAL APPLICATION NO.872 OF 2022
ORIGINAL APPLICATION NO.894 OF 2022
ORIGINAL APPLICATION NO.976 OF 2022
ORIGINAL APPLICATION NO.978 OF 2022
ORIGINAL APPLICATION NO.981 OF 2022
ORIGINAL APPLICATION NO.983 OF 2022
ORIGINAL APPLICATION NO.985 OF 2022
ORIGINAL APPLICATION NO.989 OF 2022
ORIGINAL APPLICATION NO.1004 OF 2022
ORIGINAL APPLICATION NO.1058 OF 2022
ORIGINAL APPLICATION NO.1102 OF 2022
ORIGINAL APPLICATION NO.1088 OF 2022
ORIGINAL APPLICATION NO.1090 OF 2022
ORIGINAL APPLICATION NO.1125 OF 2022
ORIGINAL APPLICATION NO.1046 OF 2022
ORIGINAL APPLICATION NO.949 OF 2022
ORIGINAL APPLICATION NO.960 OF 2022
ORIGINAL APPLICATION NO.1057 OF 2022
ORIGINAL APPLICATION NO.1223 OF 2022**

Subject : Inter District Transfer

ORIGINAL APPLICATION NO.774 OF 2022

District: Mumbai

- 1) Shri Vinod Kakaso Adsul,)
Aged 28 Yrs, Working as)
Police Constable, Attached to)
Naigaon [E] Police Station,)
R/o. Room No. 255,)
Chawl No. 5, Kohinoor Mill Chawl,)
MGM Road, Naigaon, Dadar [E],)
Mumbai-14.)
- 2) Shri Rahul Ganpati Bhandare,)
Aged 28 Yrs, Working as Police)
Constable, Attached to Nagpada)
Motor Transport, R/o. Room No.502,)
Karve Nagar, Kanjur Marg [E],)
Mumbai-42.)... **Applicants**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police)
 Commissionerate, L.T. Marg,)
 Opp. Crawford Market, Fort,)
 Mumbai - 400 001.)
- 2) The Superintendent of Police,)
 Sangli, Having Office at Sangli)... **Respondents**

ORIGINAL APPLICATION NO.804 OF 2022**District: Navi Mumbai**

- 1) Shri Shivaji Baban Patole,)
 Aged about 32 years,)
 Police Constable, Naigaon Police,)
 Headquarters LA – 1, Dadar (E), Mumbai,)
 And residing at Room No. 147,)
 See No. 3 Koparkharne, Navi Mumbai,)
- 2) Shri Mahendra Sandipan Sorate,)
 Aged about 33 years,)
 Police Constable, Naigaon Police,)
 Headquarters LA – 1, Mumbai,)
 And residing at Building No. 5A,)
 Room No. 504, Mhada Police Colony,)
 Majaswadi Jogeshwari (E), Mumbai,)... **Petitioners**

VERSUS

- 1) Director General of Police,)
 Old Council Hall, Maharashtra State,)
 Police Headquarters, S B Marg,)
 Colaba, Mumbai – 400039.)
- 2) Commissioner of Police, Mumbai,)
 D.N. Road, Opp. Crawford Market,)
 Mumbai – 400001.)
- 3) Commissioner of Police, Pune City,)
 Sadhu Vaswani Chowk,)
 Church Path, Agarkar Nagar,)
 Pune, Maharashtra – 411 001,)... **Respondents**

ORIGINAL APPLICATION NO.867 OF 2022**District: Solapur**

- 1) Amol Bhima Vibhute,)
Aged 30 Yrs, Working as)
Police Constable, Marol Police)
Camp, Andheri, Mumbai,)
R/o. Mangalwar Peth,)
Sathe Galli, Tal. Madha,)
Dist. Solapur.)
- 2) Vishwanath Siddharam Vastrad,)
Aged 33 Yrs, Working as)
Police Constable, Marol Police)
Camp, Andheri, Mumbai,)
R/o. 62/7, Bhavani Peth,)
Solapur North.)
- 3) Prasad Bajirao Mali,)
Aged 30 Yrs, Working as)
Police Constable, LA-1,)
Naigaon, Dadar, Mumbai,)
R/o. Room No. 817,)
Karve Nagar, Kanjur Marg [E],)
Mumbai.)
- 4) Nagesh Gangadhar Kore,)
Aged 33 Yrs, Working as)
Police Constable, LA-3,)
Worli, Mumbai, R/o. 73/68,)
B.D.D. Chawl, Worli,)
Mumbai-18.)
- 5) Mahesh Irappa Dalavi,)
Aged 34 Yrs, Working as)
Police Constable, Nagpada)
Motor Transport Office,)
Mumbai, R/o. Trimurti)
Residency, C-Wing,)
Room No. 203, Kalyan [E],)
Dist. Thane.)
- 6) Ramakant Shivaji Madane,)
Aged 33 Yrs, Working as)
Police Constable,)
Armed Police, Marol, Mumbai,)
R/o. A/P Kurundwadi,)
Tal. Madha, Dist. Solapur.)

- 7) Kashinath Shivanand Koli,)
 Aged 31 Yrs, Working as)
 Police Constable, LA-4,)
 Marol, Andheri, Mumbai,)
 R/o. Room No. 602, B-Wing,)
 Ishwar Residency, Ambarnath,)
 Dist. Thane.)
- 8) Saipan Mansub Pathan,)
 Aged 33 Yrs, Working as)
 Police Constable,)
 Armed Police, Tardeo, LA-2,)
 Mumbai, R/o. A/P Penur,)
 Tal. Mohol, Dist. Solapur.)
)... Applicants

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionerate,)
 L.T. Marg, Opp. Crawford Market, Fort,)
 Mumbai - 400 001.)
- 2) The Superintendent of Police,)
 Solapur [Rural],)
 Having Office at Solapur.)
)... Respondents

ORIGINAL APPLICATION NO.868 OF 2022

District: Mumbai

- 1) Arjun Devidas Magare,)
 Aged 37 Yrs, Working as)
 Police Constable, LA-2,)
 Tardeo, Mumbai, R/o. A/P)
 Pachod, Tah. Paithan,)
 Dist. Aurangabad.)
- 2) Pavan Baliram Chavan,)
 Aged 28 Yrs, Working as)
 Police Constable, LA-1,)
 Naigaon, Dadar, Mumbai,)
 R/o. Room No. 1313,)
 Karve Nagar, Kanjur Marg,)
 Mumbai-42.)
- 3) Sunil Sahebrao Chavan,)
 Aged 26 Yrs, Working as)
 Police Constable, LA-1,)
 Naigaon, Dadar, Mumbai,)
 R/o. Room No. 1313,)
 Karve Nagar, Kanjur Marg,)
 Mumbai-42.)

- 4) Anmol Shivaji Kendre,)
 Aged 28 Yrs, Working as)
 Police Constable, LA-3,)
 Tardeo, Mumbai,)
 R/o. Room No. 113,)
 Karve Nagar, Kanjur Marg,)
 Mumbai-42.)... **Petitioners**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionarate,)
 L.T. Marg,)
 Opp. Crawford Market, Fort,)
 Mumbai - 400 001.)
- 2) The Superintendent of Police,)
 Aurangabad [Rural],)
 Having Office at Aurangabad.)... **Respondents**

ORIGINAL APPLICATION NO.869 OF 2022

District: Satara

- 1) Shri Sudhir Vishwas Kamble,)
 Aged 42 Yrs, Working as Police)
 Constable, Marol Police Camp,)
 Andheri, Mumbai,)
 R/o. A/P Chinchner Vandan,)... **Petitioners**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionarate,)
 L.T. Marg,)
 Opp. Crawford Market, Fort,)
 Mumbai - 400 001.)
- 2) The Commissioner of Police,)
 Pune City, Having Office at 2,)
 Sadhu Waswani Road,)
 Camp, Pune-1.)... **Respondents**

ORIGINAL APPLICATION NO.872 OF 2022**District: Mumbai**

- 1) Shashikant Kailas Thorat,)
Aged 28 Yrs, Working as)
Police Constable, LA-1,)
Naigaon, Dadar, Mumbai,)
R/o. Gopalkrushna Park,)
Link Road, Murlidhar Building,)
Kalyan [E], Dist. Thane.)
- 2) Sumedh Sudhakar Inghote,)
Aged 30 Yrs, Working as)
Police Constable, LA-1,)
Naigaon, Dadar, Mumbai,)
R/o. B-Wing, Room No. 149,)
Motor Transport Department,)
Nagpada, Mumbai.)
- 3) Prashant Yashwantrao Deshmukh,)
Aged 33 Yrs, Working as)
Police Constable, D.N. Nagar)
Police Station, Andheri,)
Mumbai, R/o. Mohan Heights,)
Room No. 202, A-Wing,)
Titwala, Dist. Thane.)
- 4) Ramesh Jijabrao Patil,)
Aged 32 Yrs, Working as)
Police Constable,)
Khar Police Station, Mumbai,)
R/o. Room No. 101,)
Om Sai Apartment, Chinchpada,)
Kalyan [E], Dist. Thane.)
- 5) Mohsinoddin Hosnoddin Shaikh,)
Aged 30 Yrs, Working as)
Police Constable,)
Khar Police Station, Mumbai,)
R/o. New Mahim Police Line,)
Building No. 4/B,)
Room No. 53, Mahim, Mumbai.)
- 6) Rohidas Keshavrao Suryawanshi,)
Aged 35 Yrs, Working as)
Police Constable,)
Mahim Police Station, Mumbai,)
R/o. Room No. 109,)
Tulsi Park, Link Road,)
Nandivali, Kalyan [E],)
Dist. Thane)

- 7) Chandrakant Prakash Sonawane,)
 Aged 38 Yrs, Working as)
 Police Constable,)
 At J.J. Park Police Station,)
 R/o. Vishram Apartment,)
 Room No. 404, Surya Nagar,)
 Vitava, Dist. Thane.)
- 8) Hansraj Nandrao Deshmukh,)
 Aged 30 Yrs, Working as)
 Police Constable, LA-2,)
 R/o. C-Wing, Bhavani Mandir,)
 Chinchpada, Kalyan [E],)
 Dist. Thane)
- 9) Shriram Tukaram Patil,)
 Aged 33 Yrs, Working as)
 Police Constable, Cuffe)
 Parade Police Station,)
 R/o. Room No. 502,)
 Mohan Heights, Jakat Naka,)
 Titwala, Dist. Thane.)
- 10) Govinda Eknath Mahajan,)
 Aged 31 Yrs, Working as)
 Police Constable,)
 BKC Police Station, Mumbai,)
 R/o. Room No. 708,)
 Mahaganpati Tower,)
 Titwala, Dist. Thane.)
- 11) Machchindra Ananda Patil,)
 Aged 32 Yrs, Working as)
 Police Constable,)
 Dadar Police Station, Mumbai,)
 R/o. Room No. 102,)
 First Floor, Anandibai Phase)
 No. 2, Opp. C-Palace, Kalyan,)
 Dist. Thane.)
- 12) Gajanan Motiram Sonawane,)
 Aged 33 Yrs, Working as)
 Police Constable,)
 BKC Police Station, Mumbai,)
 R/o. Room No. 1, Shree Sai)
 Apartments, Namaskar Daba,)
 Kalyan, Dist. Thane.)

- 13) Samadhan Bapurao Patil,)
 Aged 31 Yrs, Working as)
 Police Constable,)
 Amboli Police Station,)
 R/o. Building No. 2, Room No.)
 204, Deep Bhawan, Kalyan [E],)
 Dist. Thane.)
- 14) Ashraf Haider Tadvi,)
 Aged 32 Yrs, Working as)
 Police Constable,)
 Paydhuni Police Station,)
 R/o. Swasnik Apartments,)
 Room No. 106, Kalyan [E],)
 Dist. Thane.)
- 15) Shri Valmiki Mansaram Patil)
 Age 37 yrs,working as Police)
 Constable at Vanrai Police)
 Station,R/O Room No.205,Riddhi)
 Siddhi residency,Virar[E],)
 Dist- Palghar)
- 16) Shri Sunil Dilip Patil)
 Age-31 yrs,working as Police)
 Constable Tardeo Police station)
 R/O Room No.2,B-wing,Harshal)
 Apts,Kalyan[E], Dist-Thane)
)....Applicants

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionerate,)
 L.T. Marg, Opp. Crawford Market, Fort,)
 Mumbai - 400 001.)
- 2) The Superintendent of Police,)
 Jalgaon, Having Office at)
 Jalgaon.)
)...Respondents

ORIGINAL APPLICATION NO.894 OF 2022

District: Mumbai

- 1) Shri Krishna Shivaji Gawli,)
 Aged about 45 years,)
 Police Constable, Tardeo Armed Police,)
 Headquarters, Tardeo, Local Arms,)
 Mumbai and residing at 1208, 12th floor,)
 Building No.1, B – Wing, Ambekrupa,)
 Mulund (W) – 400080.)

- 2) Shri Raju Devichand Pawar,)
 Aged about 42 years,)
 Police Constable, Armed Police,)
 Headquarter, Marole, Local Arms,)
 Mumbai and residing at 1208, 12th floor,)
 Building No.1, B – Wing, Ambekrupa,)
 Mulund (W) – 400080,)... **Applicants**

VERSUS

- 1) Commissioner of Police, Mumbai,)
 D.N. Road, Opp. Crawford Market,)
 Mumbai – 400001.)
- 2) Commissioner of Police, Pune City,)
 Sadhu Vaswani Chowk,)
 Church Path, Agarkar Nagar,)
 Pune, Maharashtra – 411 001.)
- 3) Director General of Police,)
 Old Council Hall, Maharashtra State,)
 Police Headquarters, S B Marg,)
 Colaba, Mumbai – 400039)... **Respondents**

ORIGINAL APPLICATION NO.976 OF 2022

District: Mumbai

Nihal Bapu Vanave)
 Age. 27 years, Occ. Service, R/at. Vrundavan)
 Park, C-201, Plot No. 9, Sec -34, KamothePanvel)... **Applicant**

VERSUS

- 1) State of Maharashtra,)
 Through the Secretary, Home Department,)
 Mantralaya, Mumbai 400032.)
- 2) Director General of Police,)
 Shahid Bhagat Singh Road, Colaba, Mum 400001)
- 3) The Commissioner of Police)
 Crawford Market, CST, Mumbai.)
- 4) The Superintendent of Police)
 Chavannagar Pashan Road, Pune –411008.)... **Respondents**

ORIGINAL APPLICATION NO.978 OF 2022**District: Thane**

- 1) Rahul Sampat Andhale, Age 31 years,)
Occ : Service, R/at Room No.605, Krushana)
Darshan Bldg., Vijay Nagar, Near Vijay Nagar)
Police Chowki, Kalyan.)
 - 2) Rajendra Chainu Lokhande)
Age. 30 years, Occ. Service,)
R/at. House No. 354, Andharwadi Jail Road,)
Umbarda Kalyan West, Near Mutha College,)
Kalyan 421301)
 - 3) Kishor R. Shilotre, Age 36 years, Occ. Service,)
R/at Ramchandra Sitaram Shilotre, R. No.274/B)
Kalyan Bhiwandi Road, near Subhadra Hospital,)
Shilotre, Wadi, Kongaon, Dist. Thane 421311.)
 - 4) Digambar S. Suryawanshi, Age 28 years,)
Occ : Service, R/at Flat No.508, 5th floor, B wing)
Thanekar Hillcrest Society, Bhosale Nagar,)
Badlapur, Then.)
-)... Applicants**

VERSUS

- 1) The State of Maharashtra)
Through the Secretary,)
Home Department, Mantralaya,)
Mumbai 400032.)
 - 2) Director General of Police,)
Shahid Bhagat Singh Road,)
Colaba, Mumbai 400001)
 - 3) The Commissioner of Police)
Crawford Market, CST, Mumbai)
 - 4) The Commissioner of Police)
Thane City, Near Kalawa Bridge,)
Thane, Maharashtra 400601)
-)... Respondents**

ORIGINAL APPLICATION NO.981 OF 2022**District: Mumbai**

- 1) Shri Prasad Atul Korade)
Aged 27 Yrs, Working as Police)
Constable, Quick Response team)
Central region, Bhoiwada, Dadar, Mumbai)
R/o. Room No.36, F-bldg, Worli Police)
Camp, Worli, Mumbai-400030.)

- 2) Smt Rupali Devidas Ambore)
 Age:33 yrs,working as Police)
 Constable,LA-IV,Marol,Andheri,Mumbai)
 R/O Om Saikrupa society,Plot No.902,)
 Sector-9, Charkop,Kandivali (W),)
 Mumbai-400067.)
- 3) Smt Snehal Ramdas Shinde,)
 Age:28 yrs,working as Police Constable,)
 LA-IV, Marol,Andheri, Mumbai,R/O,A/)
 P-Khanapur,Tal-Haveli, Dist-Pune.) **... Applicants**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at Mumbai Police)
 Commissionerate, L.T. Marg, Opp.)
 Crawford Market, Fort, Mumbai - 400 001.)
- 2) The Commissioner of Police,)
 Pune City, Having Office at 2, Sadhu)
 Waswani Road, Camp, Pune-1.) **... Respondents**

ORIGINAL APPLICATION NO.983 OF 2022

District: Mumbai

- 1) Smt. Swati Subhash Kurhade)
 Aged about 32 years, Police Constable,)
 Armed Police, Worli, Mumbai and residing at)
 19/9 Khandala Chawl, Swadesh Mill Road,)
 Chunabhati, Mumbai.)
- 2) Smt. Tejashwi Sakharam Kadam,)
 Aged about 26 years, Police Constable,)
 Armed Police, Worli, Mumbai and residing at)
 Alex Mendoza Chawl, Near Sai Mandir,)
 Bhandup, Mumbai.)
- 3) Smt. Sujata Raju Pawar,)
 Aged about 25 years, Police Constable,)
 Armed Police, Worli, Mumbai and residing at,)
 Alex Mendoza Chawl, Near Sai Mandir,)
 Bhandup, Mumbai.)
- 4) Smt. Yogita Keshav Suryawanshi,)
 Aged about 23 years, Police Constable,)
 Armed Police, Worli, Mumbai and residing at,)
 B- 203, Sumit Plaza Tower, Diva (E), Thane.)
- 5) Smt. Neelam Rajendra Dhande,)
 Aged about 24 years, Police Constable,)
 Armed Police, Naingaon, and residing at)
 Room No. - 3 Chawl No. 13 Sant Dyaneshwar)
 Colony, Aparna Society Kalyan - 421306.)

- 6) Shri Sunil Rajaram Bodke,)
 Aged about 30 years, Police Constable,)
 Armed Police, Naingaon, and residing at,)
 Shree Sai Ganesh, D Wing, Room No. 616,)
 Tarebai Wadiya Road, Parel Bhoiwada,)
 Mumbai – 400012.)
- 7) Smt. Shraddha Dhanaji Ingawale,)
 Aged about 30 years, Police Constable,)
 Armed Police, Powai, Mumbai and residing at,)
 Nickles Tixera Towers, Bhandup Mumbai.)... **Applicants**

VERSUS

- 1) Commissioner of Police, Mumbai,)
 D.N. Road, Opp. Crawford Market,)
 Mumbai – 400001.)
- 2) Commissioner of Police, Pune City,)
 Sadhu Vaswani Chowk,)
 Church Path, Agarkar Nagar,)
 Pune, Maharashtra – 411 001.)
- 3) Director General of Police,)
 Old Council Hall, Maharashtra State,)
 Police Headquarters, S B Marg,)
 Colaba, Mumbai – 400039.)
- 4) Government of Maharashtra,)
 Through Addl. Chief Secretary,)
 Home Department, Mantralaya,)
 Mumbai – 400032.)... **Respondents**

ORIGINAL APPLICATION NO.985 OF 2022**District: Mumbai**

Shri Tulsiram Eknath Parekar,)
 Aged about 42 years, Police Constable,)
 Worli, And residing at 103, Building)
 Kartekeya Park, Malewadi, Panvel – 410206)....**Applicant**

VERSUS

- 1) Commissioner of Police, Mumbai,)
 D.N. Road, Opp. Crawford Market,)
 Mumbai – 400001.)
- 2) Superintendent of Police, Solapur (Rural),)
 District Solapur, Near Collector Office,)
 District Solapur – 413 001.)

- 3) Director General of Police,)
 Old Council Hall, Maharashtra State,)
 Police Headquarters, S B Marg,)
 Colaba, Mumbai – 400039.)
- 4) Government of Maharashtra)
 Through Addl. Chief Secretary,)
 Home Department, Mantralaya,)
 Mumbai – 400032.)... **Respondents**

ORIGINAL APPLICATION NO.989 OF 2022

District: Thane

- 1) Shri Rahul Samadhan Neware)
 Age: 31 yrs,working as Police)
 Constable LA-II, Tardeo,Mumbai,)
 R/O Room No.205,Vinayak Apts,)
 Pisavali Village,Kalyan[E], Thane-421306.)
- 2) Shri Kautikarao Pandurang Suradkar)
 Age:42 yrs,working as Police Head)
 Constable LA-II, Tardeo,Mumbai,)
 R/O Kohinoor Mill Compound Chawl,)
 Room No.794,Naigaon,Dadar[E],Mumbai)
- 3) Shri Raghunath Bhagwan Shinde)
 Age:34 yrs,working as Police Constable)
 LA-II Tardeo,Mumbai,R/O Room No.104,)
 Vinayak Apts,Pisavali Apts,Kalyan[E],)
 Thane-421306.)... **Petitioners**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionarate,L.T. Marg,)
 Opp. Crawford Market, Fort,Mumbai - 400 001.)
- 2) The Superintendent of Police, Aurangabad [Rural],)
 Having Office at Aurangabad.)... **Respondents**

ORIGINAL APPLICATION NO.1004 OF 2022

District: Mumbai

- Shri Rajan Namdeo Bade,)
 Aged 34 Yrs, Working as Police, Constable,)
 Kalachowkie Police Station, Mumbai,)
 R/o. B/51,Old Police Line, Kalachowkie Cotton)
 Green,Mumbai.)... **Applicant**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at Mumbai Police)
 Commissionerate, L.T. Marg, Opp. Crawford)
 Market, Fort, Mumbai - 400 001.)
- 2) The Commissioner of Police, Pimpri-Chinchwad,)
 having office at Premlok Park, Pimpri-Chinchwad)
 Pune-411033.)... **Respondents**

ORIGINAL APPLICATION NO.1058 OF 2022**District: Raigad**

- 1) Shri Sandip Punjabrao Hulge)
 Age:32 yrs,working as Police)
 Constable Byculla Police station)
 Division Agripada,Mumbai)
 R/O Unnati Shree ganesh C.H.S.,)
 Bldg No.3,Flat No.102,Sector-19 A,)
 Panvel,410206,Dist-Raigad.)
- 2) Shri Sachin Pandit Dongardive)
 Age:32 yrs,working as Police)
 Constable Naigaon Police Head)
 Quarters,R/O Room No.337,B.N. 07)
 Kohinoor bldg. compound,Dadar[E))
 Mumbai-400014.)
- 3) Shri Salman Piru Nandawale)
 Age:32 yrs,working as Police)
 Constable Armed Police force)
 Tardeo,LA-II,Mumbai,R/O 126/7)
 N.B.Shedge,behind Sarveshwar)
 Temple,Kurla[W),Mumbai-)
- 4) Shri Pravin Vitthal Gawande)
 Age:34 yrs,working as Police)
 Constable Armed Police Force)
 Naigaon J Wing,Dadar[E),Mumbai)
 R/O Kanjurmarg Karve Nagar,P-2)
 Building,room no.1313,Mumbai)
- 5) Shri Santoshkumar Dhonduram Khodke)
 Working as Police Constable)
 Vikhroli Police station,Mumbai)
 R/O Room No.210,A-Wing,Jai Malhar)
 Nagar,Sai Prasad Apts,Bapgaon,)
 Tal:Bhiwandi,Dist:Thane)

- 6) Shri Pandit Zanak Pawar)
 Working as Police Constable)
 Cuffe Parade Police station,)
 Mumbai,R/O Room No.602,6th floor,)
 Monam Heights bldg.,Narayan Nagar)
 Road,Titwala[E],Thane .)... **Petitioners**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionerate,)
 L.T. Marg,)
 Opp. Crawford Market, Fort,)
 Mumbai - 400 001.)
- 2) The Superintendent of Police,)
 Washim,Having Office at Washim)... **Respondents**

ORIGINAL APPLICATION NO.1102 OF 2022

District: Mumbai

- 1) Shri Jagdish Arjun Pagar)
 Aged about 44 years,)
 Police Constable, Armed Police,)
 Naigaon Mumbai and residing at)
 R.No.1122, P - 2 Building,)
 Karve Nagar Kanjurmarg (E),)
 Mumbai - 400042.)... **Petitioner**

VERSUS

- 1) Commissioner of Police, Mumbai,)
 D.N. Road, Opp. Crawford Market,)
 Mumbai - 400001.)
- 2) Superintendent of Police, Nashik Rural,)
 Bhujbal Knowledge City, Adgaon,)
 Nashik, Maharashtra - 422003.)
- 3) Director General of Police,)
 Old Council Hall, Maharashtra State,)
 Police Headquarters, S B Marg,)
 Colaba, Mumbai - 400039.)
- 4) Government of Maharashtra,)
 Through Addl. Chief Secretary,)
 Home Department, Mantralaya,)
 Mumbai - 400032.)... **Respondents**

ORIGINAL APPLICATION NO.1088 OF 2022**District: Mumbai**

Sachin Chandrakant Kolekar)
 Age. 36 years, Occ. Service,)
 R/at. Building No. 22, Room No. 409,)
 Raigadh Chs. Maharashtra Nagar,)
 Mankhurd (E) Mumbai 400088.)... **Applicant**

VERSUS

- 1) The State of Maharashtra)
 Through the Secretary,)
 Home Department, Mantralaya,)
 Mumbai 400032.)
- 2) Director General of Police,)
 Shahid Bhagat Singh Road,)
 Colaba, Mumbai 400001.)
- 3) The Commissioner of Police,)
 Crawford Market, CST, Mumbai.)
- 4) The Superintendent of Police,)
 Chavan Nagar, Pashan Road,)
 Pune – 411008.)... **Respondents**

ORIGINAL APPLICATION NO.1090 OF 2022**District: Mumbai**

Ravindra Chandrakant Sonvalkar)
 Age. 29 years, Occ. Service,)
 R/at. Spring Mill Compound, Bldg. No. 4,)
 Room No. 47, Naigaon, Dadar (E), Mumbai.)... **Applicant**

VERSUS

- 1) The State of Maharashtra)
 Through the Secretary,)
 Home Department, Mantralaya,)
 Mumbai 400032.)
- 2) Director General of Police,)
 Shahid Bhagat Singh Road,)
 Colaba, Mumbai 400001.)
- 3) The Commissioner of Police)
 Crawford Market, CST, Mumbai.)
- 4) The Superintendent of Police,)
 Chavan Nagar, Pashan Road,)
 Pune – 411008.)... **Respondents**

ORIGINAL APPLICATION NO.1125 OF 2022**District: Mumbai**

- 1) Smt. Dhanashree Dashrath Gandhale)
 Aged about 30 years,)
 Police Constable, Armed Police, LA 3,)
 Worli, Mumbai and residing at,)
 Shubha Nisarga B19, B wing,)
 1st Floor, Room No. 104, Mohan,)
 Pama JVI, Badlapur East)
- 2) Smt. Yamuna Gunaji Bhusnar)
 Aged about 27 years,)
 Police Constable, Armed Police, LA -1, Naigaon,)
 Mumbai and residing at Room 4 Shiv Shakti)
 Apartment, Nerul, Sector – 10, West,)
 Navi Mumbai,)... **Petitioners**

VERSUS

- 1) Commissioner of Police, Mumbai,)
 D.N. Road, Opp. Crawford Market,)
 Mumbai – 400001.)
- 2) Superintendent of Police, Pune Rural,)
 Chavan Nagar, Pashan Road, Pune – 411 008.)
- 3) Director General of Police,)
 Old Council Hall, Maharashtra State,)
 Police Headquarters, S B Marg,)
 Colaba, Mumbai – 400039.)
- 4) Government of Maharashtra,)
 Through Addl. Chief Secretary,)
 Home Department, Mantralaya,)
 Mumbai – 400032.)... **Respondents**

ORIGINAL APPLICATION NO.1046 OF 2022**District: Mumbai**

- Shri Goraknath Sopan Khade)
 Age:32 yrs,Occ: Police Constable)
 Motor Transport Nagpada,Mumbai)
 R/O Room no.078,Bldg No.08,)
 Naigaum Police Headquarters)
 LA-1 Dadar[E], Mumbai)... **Petitioners**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionarate,)
 L.T. Marg, Opp. Crawford Market, Fort,)
 Mumbai - 400 001.)
- 2) The Commissioner of Police,)
 Pune [Rural],Pune)... **Respondents**

ORIGINAL APPLICATION NO.949 OF 2022**District: Thane**

- 1) Shri Somnath Bajirao Hulage)
 Age : 31 yrs, working as Police)
 Constable in R.C.P. Naigaum Police)
 Station, Mumbai , R/O Radhakrishna)
 Bhavan,A-wing,Flat No.408,Haji Malang road,)
 Nandivali,Kalyan,Thane.)
- 2) Shri Swapnil Ramchandra Ghuge)
 Age:34 yrs,working as Police)
 Constable L.A.-1 Naigaum,Dadar [E])
 Mumbai-14,R/O Balaji Kashis Park)
 C/401,Gavdevi road, Usrli, New Panvel,)
 Dist:Raigad.)... **Applicants**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at Mumbai Police)
 Commissionerate, L.T. Marg, Opp. Crawford)
 Market, Fort, Mumbai - 400 001.)
- 2) The Commissioner of Police,)
 Pune City, Having Office at 2, Sadhu Waswani)
 Road, Camp, Pune-1.)... **Respondents**

ORIGINAL APPLICATION NO.960 OF 2022**District: Mumbai**

- 1) Shri Anil Rajaram Vadar)
 Age 36 yrs,Occ : Police)
 Constable Kanjurmarg Police)
 Station,R/O P.I. bldg.,Room)
 No.1707,Karvenagar,Kanjurmarg)
 Mumbai-400042.)

- 2) Shri Navnath Arjun Karande)
Age:29 yrs,Occ: Police Constable)
Chunabhatti Police station,)
R/O Room no.105,Bldg No.L15,)
Sector-27,Taloja Navi Mumbai.)
- 3) Shri Amol Tanaji Kolekar)
Age: 31 yrs,Occ: Police Constable,)
Main QRT Kalina Mumbai,)
R/O 4th floor, Police Training)
Centre,Main QRT,Hans Bruga)
Marg,Kalina, Mumbai.)
- 4) Mohseenkhan Abdurashid Desai,)
Age: 33 yrs,Occ : Police Constable,)
Armed Police Tardeo,LA-II,Mumbai)
R/O 101,5/B Shri Ganesh C.H.S.)
Karve Nagar, Kanjur marg (w),)
Mumbai.)
- 5) Shri Vaibhav Babasaheb Kamble)
Age: 32 yrs,Occ: Police Constable,)
Armed Police Naigaon,LA-1,Mumbai.)
R/O room no.101,5/B Shri Ganesh)
Co-op Society,Kanjurmarg(w),Mumbai.)
- 6) Shri Avadhut Appaso Landage)
Age : 33 yrs,Occ: Police Constable)
Armed Police Naigaon, LA-1,Dadar)
Mumbai,R/O Room no.205,Namdev Villa))
Vicco Naka,Dombivali, Thane.)... **Petitioners**

VERSUS

- 1) The Commissioner of Police,)
Mumbai, Having Office at)
Mumbai Police Commissionerate,)
L.T. Marg, Opp. Crawford Market, Fort,)
Mumbai - 400 001.)
- 2) The Superintendent of Police,)
Sangli, Having Office at Sangli.)... **Respondents**

ORIGINAL APPLICATION NO.1057 OF 2022

District: Mumbai

- Shri Vishal Pradip Somwanshi)
Age: 31 yrs, working as Police)
Constable Worli Police Head Quarter)
Mumbai,R/O Room No.305,3rd Floor,)
Bhalchandra society,Bldg No.10,)
Kanjurmarg,Mumbai-42)... **Petitioners**

VERSUS

- 1) The Commissioner of Police,)
 Mumbai, Having Office at)
 Mumbai Police Commissionarate,)
 L.T. Marg, Opp. Crawford Market,)
 Fort, Mumbai - 400 001.)
- 2) The Superintendent of Police,)
 Parbhani, having office at Parbhani)... **Respondents**

ORIGINAL APPLICATION NO.1223 OF 2022**District: Mumbai**

Shri Sanjay Namdeo Pimple)
 Aged about 44 years,)
 Armed Police Constable, Traffic,)
 Worli, and residing at,)
 130, 4th Floor, Vikrantsadan)
 Gas Company, Chinchpokli, Parel,)...**Applicants**

VERSUS

- 1) Commissioner of Police, Mumbai,)
 D.N. Road, Opp. Crawford Market,)
 Mumbai – 400001.)
- 2) Commissioner of Police, Pune City,)
 Sadhu Vaswani Chowk,)
 Church Path, Agarkar Nagar,)
 Pune, Maharashtra – 411 001.)
- 3) Director General of Police,)
 Old Council Hall, Maharashtra State,)
 Police Headquarters, S B Marg,)
 Colaba, Mumbai – 400039.)
- 4) Government of Maharashtra,)
 Through Addl. Chief Secretary,)
 Home Department, Mantralaya,)
 Mumbai – 400032.)... **Respondents**

Shri S.S. Dere, Shri A. V. Bandiwadekar and Shri M.D. Lonkar, learned Advocate for the Applicants.

Smt. Kranti Gaikwad and Smt. Archana B. K., learned Presenting Officer for the Respondents.

CORAM : A.P. Kurhekar, Member (J)

DATE : 19.12.2022

JUDGMENT

1. All these 24 Original Applications are filed by Police Constables serving on the establishment of Commissioner of Police (C.P.), Mumbai seeking Inter District Transfer to different districts of State of Maharashtra in terms of regulation dated 26.10.2017 invoking jurisdiction of this Tribunal under Section 19 of the Administrative Tribunal Act, 1979. Since the issue involved in all these Original Applications is common, it is being decided by common order.

2. The following chart would show the districts where the Applicants are seeking transfer, date of filing application, date of receipt of NOC etc :-

Sr. No.	O.A. No.	Name of the Petitioner	Place where transfer is sought	Date of Application	Date of Acceptance
1	774/22	R. G. Bhandare Vinod Adsul	Sangli	16.12.2020 20.01.2021	05.06.2022 05.06.2022
2	804/22	Shivaji Baban Patole Mahendra S. Sorate	Pune City	12.05.2022 29.03.2022	16.06.2022
3	867/22	Amol B.Vibhute	Solapur Rural	10.5.2022	1.6.2022
		Vishwanath S. Vastrad	Solapur Rural	21.4.2022	1.6.2022
		Prasad Bajirao Mali	Solapur Rural	20.4.2022	15.6.2022
		Nagesh Kore	Solapur Rural	28.4.2022	15.6.2022
		Mahesh Irappa Dalavi	Solapur Rural	4.5.2022	1.6.2022
		Ramakant S. Madane	Solapur Rural	22.4.2022	1.6.2022
		Kashinath S. Koli	Solapur Rural	20.4.2022	1.6.2022
		Saipan Mansub	Solapur Rural	25.4.2022	1.6.2022
4	868/22	Arjun D. Magare	Aurangabad Rural	26.5.2022	1.8.2022
		Pavan B. Chavan	Aurangabad Rural	28.4.2022	10.6.2022
		Sunil S. Chavan	Aurangabad Rural	24.4.2022	10.6.2022
		Anmol S. Kendre	Aurangabad Rural	27.3.2022	2.6.2022
5	869/22	Sudhir V. Kamble	Pune City	18.1.2022	28.6.2022
6	872/2022	Shrikant K. Thorat	Jalgaon	30.5.2022	15.7.2022
		Sumesh S. Inchate	Jalgaon	7.6.2022	15.7.2022

Sr. No.	O.A. No.	Name of the Petitioner	Place where transfer is sought	Date of Application	Date of Acceptance
		Prashant Y. Deshmukh	Jalgaon	15.1.2021	15.7.2022
		Ramesh J. Patil	Jalgaon	31.5.2022	15.7.2022
		Mohasinoddin Shaikh	Jalgaon	22.1.2021	15.7.2022
		Rohidas Suryawanshi	Jalgaon	22.9.2021	15.7.2022
		Chandrakant P. Sonwane	Jalgaon	19.12.2020	15.7.2022
		Hansraj N. Deshmukh	Jalgaon	13.4.2022	15.7.2022
		Shriram Tukaram Patil	Jalgaon	19.4.2022	15.7.2022
		Govind E. Mahajan	Jalgaon	16.12.2020	15.7.2022
		Machhindra A. Patil	Jalgaon	13.6.2022	15.7.2022
		Gajanan M. Sonwane	Jalgaon	17.12.2020	15.7.2022
		Samadhan B. Patil	Jalgaon	17.2.2021	15.7.2022
		Ashraf H. Dadvi	Jalgaon	21.12.2020	15.7.2022
		Valmik M.Patil	Jalgaon	30.11.2020	15.7.2022
		Sunil D. Patil	Jalgaon	10.5.2022	15.7.2022
7	894/2022	Krishna Shivaji Gawli Raju Devichand Pawar	Pune City	18/05/2022 20/05/2022	18/06/2022
8	949/22	Somnath B. Hulage	Pune City	28.12.2020	1.6.2022
		Swapnil R. Ghuge	Pune City	30.5.2022	28.6.2022
9	960/22	Anil R. Vadar	Sangli	5.12.2020	6.6.2022
		Avadhut A. Landge	Sangli	28.4.2022	6.6.2022
		Navnath A. Karande	Sangli	9.12.2020	6.6.2022
		Mohsinkhan A. Desai	Sangli	7.12.2020	6.6.2022
		Vaibhav B. Kamble	Sangli	1.4.2022	6.6.2022
		Amol T. Kolekar	Sangli	3.5.2022	6.6.2022
10	976/2022	Nitin Vanve	SP Pune	18.05.2022	19.09.2022
11	978/2022	Rahul S. Andhale	CP, Thane City	14.10.2020	23.06.2022
		Rajendra C. Lokhande	CP, Thane City	5.1.2021	23.6.2022
		Kishor R. Shilotre	CP, Thane City	28.12.2020	23.6.2022
		Digambar S. Suryawanshi	CP, Thane City	14.2.2022	23.6.2022
12	981/2022	Prasad A. Korade	Pune City	24.12.2020	1.6.2022
		Snehal R. Shinde	Pune City	22.2.2022	1.6.2022
		Rupali D. Ambore	Pune City	15.12.2021	16.6.2022

Sr. No.	O.A. No.	Name of the Petitioner	Place where transfer is sought	Date of Application	Date of Acceptance
13	983/2022	Swati S. Kurhade Tejashwi S. Kadam Sujata Raju Pawar Yogita K. Suryawanshi Neelam R. Dhande Sunil Rajaram Bodke Shraddha D. Ingawale	Pune City	14/12/2020 21/03/2022 30/06/2022 09/06/2022 04/06/2022 24/05/2022 21/05/2022	28/06/2022
14	985/2022	Tulsiram E.Parekar	Solapur (R)	21/04/2022	01/06/2022
15	989/2022	Rahul S. Newae	Albad Rural	7.4.2022	2.6.2022
		Kautikrao P. Suradkar	Albad Rural	17.3.2022	2.6.2022
		Raghunath B. Shinde	Albad Rural	26.5.2022	1.8.2022
16	1004/22	Rajan Namdeo Bade	Pimpri-Chinchwad Police Commissionerate	7.12.2020	29.6.2022
17	1046/22	G. S. Khade	Pune Rural	12.5.2022	30.5.2022
18	1057/22	Vishal P. Somvanshi	Parbhani	18.11.2021	24.6.2022
19	1058/22	Sandip P. Hulage	Washim	8.1.2021	15.9.2022
		Sachin P. Dongardive	Washim	2.2.2021	15.9.2022
		Pravin V. Gawande	Washim	9.10.2021	15.9.2022
		Pandit Zanak Pawar	Washim	16.12.2020	15.9.2022
		Santoshkumar Khodake	Washim	8.12.2020	15.9.2022
		Salman P. Nandawale	Washim	17.12.2020	15.9.2022
20	1088/22	Sachin C. Kolekar	SP Pune Gramin	9.5.2022	29.6.2022
21	1090/22	Ravindra Sonavalkar	SP Pune Gramin	6.5.2022	30.5.2022
22	1102/22	Jagdish Arjun Pagar	Nashik (R)	24/02/2021	13/09/2022
23	1125/22	Dhanashree D.Gandhale Yamuna G. Bhusnar	Pune (R)	04/05/2022 04/05/2022	29/06/2022
24	1223/22	Sanjay Namdeo Pimple	Pune City	05/02/2022	28/06/2022

3. Heard Shri S. S. Dere, Shri A. V. Bandiwadekar and Shri M. D. Lonkar, learned Counsels for the Applicants and Smt. Kranti Gaikwad & Smt. Archana B. K., learned Presenting Officer for the Respondents.

4. In all these Original Applications, in view of applications made by the Applicants, their request was processed and remarks or willingness of the counterpart were called by the C.P., Mumbai. Accordingly, the concerned Head of the District sent NOC showing their readiness to accommodate the Applicants on their establishment but C.P. Mumbai did not relieve them and that is how the Applicants have filed all these Original Applications for direction to C.P. Mumbai to relieve them.

5. The Government of Maharashtra, in reference to Maharashtra Police Recruitment Rules, 2011 approved the regulation dated 26.10.2017 for Inter District Transfer and accordingly the Home Department issued G.R. dated 26.10.2017. The said regulation *inter-alia* provides for Inter District Transfer from one establishment to another establishment subject to certain terms and conditions mentioned therein. In this behalf, relevant terms and conditions needs to be noted which are as under:-

“ १. नाव :- या नियमावलीस “महाराष्ट्र राज्य पोलीस दलातील पोलीस शिपाई ते सहायक पोलीस उपनिरीक्षक (स.रा.पो.बल गटातील कर्मचारी वगळता) दर्जापर्यंतच्या पोलीस कर्मचा-यांच्या घटक आस्थापना बदली नियमावली” असे संबोधण्यात येईल.

२. पात्रता :- राज्य पोलीस विभागातील एका घटक कार्यालयाच्या आस्थापनेवरील पो.शि./पो.ना./पो.ह. वा./स.पो.उ.नि. स्वेच्छेने अन्य घटकात घटक बदलीने जाण्यासद्ध खालील अटीची पूर्तता करीत असल्यासद्ध त्यालाद्ध घटक बदलीस पात्र समजण्यात येईल:-

i) घटक बदलीस इच्छुक पोलीस कर्मचा-याची नियुक्ती नियमित असावी व त्याला/तिला स्थायित्व प्रमाणपत्र दिले असावे.

ii) मूळ घटकात किमान ८ वर्ष सेवा पुर्ण झाली असावी. मात्रद्ध खालील नमूद अपवादात्मक परिस्थितीतद्ध मूळ घटकात कमीत-कमी ३ वर्षे सेवा पुर्ण केल्यानंतर व वर नमूद अट क्र.१ ची पूर्तता करीत असल्यासद्ध संबंधीताची विनंती विचारात घेता येईल.

१. पती-पत्नी एकत्रिकरण प्रकरणी (पती किंवा पत्नी शासकीय अथवा निम-शासकीय सेवेत असल्यासच लागू होईल.)

२. कर्मचा-याचा स्वतःचा पत्नीचाद्ध आईचाद्ध वडिलाचा अथवा मुलाचा गंभीर वैद्यकीय आजार (सक्षम अधिकारी गरज वाटल्यास शल्य चिकित्सक कडून अहवाल प्राप्त करून घेतील)

३. नक्षलवादी /अतिरेकी हल्ल्यातील पीडीत कुटुंबातील पोलीस कर्मचारी.

iii) एक वर्षात त्या घटकातील एकूण मंजूर पदांच्या ५% पेक्षा जास्त कर्मचारी आंतरघटक बदलीवर सोडण्यात येणार नाहीत.

- iv) एकदा घटक बदलीने बदलून गेल्यानंतरुद्ध तो बदली आदेश रद्द करुनद्ध पुन्हा पुर्वीच्या आयुक्तालय/जिल्हा पोलीस दलात बदली झालेली आहेद्ध तेथे किमान २ वर्षे इतकी सेवा पुर्ण करणे आवश्यक आहे.
- v) रा.रा.पो.बलातील ज्या पोलीस कर्मचा-याची रिक्त पदांअभावी इच्छित जिल्हयाऐवजी अन्य आयुक्तालय/जिल्हा पोलीस दलातुद्ध जिल्हा बदली झालेली आहेद्ध अशा पोलीस कर्मचा-याला जर इच्छित आयुक्तालय/जिल्हा पोलीस दलात घटक बदलीवर पुन्हा जावयाचे झाल्यासुद्ध त्या कर्मचा-यासुद्ध त्या आयुक्तालय/जिल्हा पोलीस दलात किमान २ वर्ष सेवा पुर्ण करणे आवश्यक राहिल.
- vi) संपूर्ण सेवाकाळात फक्त २ वेळा घटकबदली देय राहिल. ”

6. Thus, the perusal of regulation dated 26.10.2017 reveals that the minimum eight years' service is required for Inter District Transfer but in exceptional cases on the ground of illness of parents, husband and wife wants to live together etc., three years' service is required. Another condition is that Inter District Transfer should not exceed 5% of sanctioned post in the concerned year. The Police Constable will have to forgo his seniority on the establishment, he is seeking transfer. These are the material terms and conditions relevant here for Inter District Transfer.

7. It is in pursuance of regulation dated 26.10.2017, all these Applicants who are serving as Police Constable made an applications for Inter District Transfer citing their grounds for Inter District Transfer and those were placed before the Police Establishment Board of C.P. Mumbai. Indisputably, all these Applicants were found eligible for Inter District Transfers in terms of regulation dated 26.10.2017. Having found eligible, their request was sent to their counterpart who in turn issued NOC showing their readiness to accommodate the Applicants on their establishment. Suffice to say, there is no denying that all these Applicants fulfilled eligibility criteria and counterpart also issued NOC for accommodating them on their establishment. This aspect is not at all disputed by the Respondents as well as by learned P.O.

8. The only resistance to relieve the Applicants is by C.P. Mumbai citing shortage of manpower. In this behalf, the C.P. Mumbai filed Affidavit stating that in view of vacancy position, it is difficult from the point of administration to relieve the Applicants.

9. It needs to be clarified here that all these Original Applications have been filed subsequent to filing of O.A.No.26/2022 in which also the Applicants therein sought Inter District Transfer. That O.A. No.26/2022 was taken as a lead matter and the C.P. Mumbai has filed Affidavit as well as additional Affidavit as a common reply for the decision of all these Original Applications. As such, no separate affidavit is filed in these Original Applications. In so far as O.A.No.26/2022 is concerned, it is for transfer to the establishment of C.P. Nashik from the C.P. Mumbai. There are some other Original Applications listed on today's board for transfer from C.P. Mumbai to C.P. Nashik. In those Original Applications, counterpart C.P. Nashik has resisted the O.A. *inter-alia* contending that NOC is already lapsed and further sought to contend that now he will fill in the vacancies by way of direct recruitment. Whereas in these group of 24 Original Applications, there is no such stand by counterpart or concerned districts. Therefore, these 24 Original Applications are segregated and taken up today for final hearing. Those Original Applications pertaining to transfer to C.P. Nashik will be decided independently in view of various contentions raised by the C.P. Nashik in those Original Applications.

10. Now turning to these Original Applications as stated above, the concerned Head of District are ready and willing to accommodate the Applicants, and in some of the Original Applications, Head of the District has filed Affidavit showing their readiness and willingness to accommodate them. Whereas in some Original Applications by NOC stipulated time was given for joining. The Tribunal by interim relief protected their NOC. As such, in all these 24 Original Applications, there is no hurdle for accommodating the Applicant in the respective districts since NOC is still alive.

11. The resistance is only from the C.P. Mumbai on the sole ground of shortage of manpower stating that in view of vacancies, he cannot relieve the Applicants.

12. Now the question comes whether this ground is acceptable and on that ground the Applicants claim for Inter District Transfer can be defeated and my answer is in emphatic negative.

13. In O.A. No.26/2022, the C.P. Mumbai has filed Affidavit in Reply along with chart (page 254 of PB) that total sanctioned strength is 40623 and out of it 9913 are vacant and 1817 police personnel are already transferred inter district in the year 2022. Since the figure 40623 is total figure of entire sanctioned post of various cadre. Learned P.O. in morning session was directed to take specific instructions about number of sanctioned posts and vacant posts for the post of Police Constables exclusively. Accordingly, learned P.O. on instructions and on the basis of regular quarterly statement submitted to the office of DGP submits that total sanctioned posts of Police Constables are 22167 and 6367 are vacant. This is the position as on 13.12.2022 on the basis of statement submitted by C.P. Mumbai to DGP in their regular course of business.

14. Now in all these 24 Original Applications, there are around 80 Police Constables who are seeking Inter District Transfer. True, in the year, 2022 the C.P. Mumbai seems to have relieved 1723 Police Constables from the C.P. Mumbai. Thus, indeed the C.P. Mumbai had already relieved more than 5% Police Personnel in the year 2022. If there was any such shortage of manpower, in that event, the C.P. Mumbai indeed would not have relieved all those Police Personnel exceeding 5% limit. Be that as it may, it appears considering the grounds raised by Police Constables and their difficulties, they were relieved in terms of regular dated 28.10.2017. Now, we are at the verge of end of 2022. If the Applicants are relieved, it would be in the year 2023 and, therefore, hurdle of 5% would not come in their way.

15. That apart, as rightly pointed out by learned Counsel for the Applicants in the year 2022, though 1817 Police Personnel sought Inter District Transfer and NOC was received, out of them 112 Police Constables refused to go out of district and they were retained on the establishment of C.P. Mumbai. This aspect is explicit in view of Police Notice issued by the C.P. Mumbai which is at page nos.280 onward of PB. Learned P.O. has also not disputed this position. Thus, against those 112 Police Personnel, here there are 80 Police Personnel seeking Inter District Transfer. In other words, if the C.P. Mumbai has no difficulty to relieve those 112 Applicants, there could be no difficulty to relieve these 80 Police Personnel, and therefore, the ground of shortage of manpower does not inspire confidence.

16. Furthermore, as rightly pointed out by learned Counsel for the Applicants that recently the recruitment for the post of Police Constable has been completed and after selection process, they were sent for initial training at police training school, Akola, Turchi and Solapur. In terms of direction given by the Tribunal, the D.G.P. had filed Affidavit which is at page nos.329 to 331 of PB showing availability of new recruitee by various district in State of Maharashtra. Material to note that 546 Police Personnel have completed their training and they are being posted on the establishment of C.P.Mumbai. Their pass out parade is scheduled on 28.12.2022. The D.G.P. in Affidavit has stated that 546 Police Constables now will be available on the establishment of C.P. Mumbai w.e.f. 28.12.2022. Thus, now the C.P. Mumbai will get 546 additional Police Constables w.e.f. 28.12.2022 and they will be available at his disposal. This being the position, the resistance to release 80 Police Constables for relieving them is totally unjust and unreasonable. All that care can be taken about the concern of C.P. Mumbai by giving some reasonable time for relieving the Applicants.

17. As stated above, the Government in terms of regulation dated 26.10.2017 has taken policy decision to redress the grievance of Police Constables for Inter District Transfer so that, even if, they join at one establishment, they could be transferred to other establishment on completion of certain period of service on the ground of family difficulties. Thus, it is sort of benevolent provision for the family welfare of Police Personnel. Needless to mention, the family welfare is also one of the paramount considerations. If the Applicants find it difficult to continue their stay in city like Mumbai which is already overcrowded and seek the Inter District Transfer to other districts in Maharashtra and they fulfill all the requisite terms and conditions in terms of regulation dated 26.10.2017, they need to be relieved. The Applicants are ready to forgo seniority in term of regulation dated 26.10.2017. Thus, in the facts and circumstances of the matter, in my considered opinion, the stand taken by the C.P. Mumbai is totally unjust, irrational, arbitrary and totally unacceptable. I see absolutely no legal hurdle in the way of Applicants to get Inter District Transfer as prayed for.

18. At this juncture learned P.O., without prejudice to stand taken in Affidavit in Reply submits that some reasonable time be given to relieve them. Her submission is quite fair. Hence, the following order:-

ORDER

- (A) All these Original Applications are allowed.
- (B) The C.P. Mumbai is directed to relieve the Applicants within two months from today so that they can join at their respective places.
- (C) The concerned Head of the District where Applicants are seeking transfer as shown in the chart are also directed to get the Applicants joined on their establishment after they are relieved from the C.P. Mumbai.
- (D) No order as to costs.

Sd/-
(A.P. Kurhekar)
Member (J)

