

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION No. 853 of 2022 (D.B.)

Dr. Pramod S/o Uddhavrao Potdar,
Aged 47 years,
Occ. Service as Pathologist Specialist,
General Hospital, Amravati, District Amravati
R/o C/o Civil Hospital, Amravati,
Taluka and District Amravati.

Applicant.

Versus

- 1) The State of Maharashtra,
through the Principal Secretary,
Public Health Department, Mantralaya,
Mumbai.
- 2) The Commissioner of Health & Mission Director,
National Health Mission, Maharashtra State,
Arogya Bhavan, Saint George Hospitals Compound,
Mumbai.
- 3) The Director of Health Services,
Maharashtra State, Arogya Bhavan, Saint George Hospitals
Compound, Mumbai.
- 4) The Civil Surgeon, Amravati,
District Amravati.

Respondents.

Shri S.B. Patil, Advocate for the applicant.
Shri A.P. Potnis, learned P.O. for respondents.

**Coram :- Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated :- 08/02/2023.

JUDGMENT

Per : Shri Justice M.G. Giratkar, Vice-Chairman.

Heard Shri S.B. Patil, learned counsel for the applicant, the applicant in person and Shri A.P. Potnis, learned P.O. for the respondents.

2. The matter is heard and decided finally with the consent of learned counsel for both the parties.

3. The applicant was working as a Medical Officer at Amravati. Thereafter, as per the order dated 01/08/2022 (Annex-A-1,P-31) he is promoted on the post of Pathologist Specialist, Class-I at General Hospital, Amravati.

4. The learned counsel for the applicant and the applicant in person have filed the Chart (P-36) and submitted that as per the Chart the posts of equivalent cadre, i.e., Medical Superintendent are vacant at Rural Hospital, Anjangaon Surji, Rural Hospital, Warud and Sub District Hospital, Morshi. The applicant is the resident of Warud. He is handicapped by both the legs. Therefore, the applicant made representation dated 12/08/2022 (Annex-A-8,P-35) to the Additional Chief Secretary, Public Health Department, Mantralaya, Mumbai and prayed for posting at Sub District Hospital, Morshi, or at Sub District Hospital, Warud, District Amravati.

5. The learned counsel for the applicant has submitted that the posts at Sub District Hospital, Morshi and at Sub District Hospital, Warud are vacant. He is already promoted on the post of Pathologist Specialist, Class-I and eligible for the post of Medical Superintendent. Hence, the following order –

ORDER

(i) The O.A. is disposed off with direction to the respondents to consider the representation of the applicant dated 12/08/2022 and give him posting at Sub District Hospital, Warud or at Sub District Hospital, Morshi, if he is eligible for the said post.

(ii) No order as to costs.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

Dated :- 08/02/2023.

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 : 08/02/2023.