

MAHARASHTRA ADMINISTRATIVE TRIBUNAL,

NAGPUR BENCH, NAGPUR.

ORIGINAL APPLICATION NO.925/2012.

Milind Chudaman Ukey,
Aged about 52 years,
Occupation-Service,
R/o Washim, Distt. Washim.

Applicant.

-Versus-

1. The State of Maharashtra,
Through its Secretary,
Department of Water Resources,
Mantralaya, Mumbai-32.
2. The Executive Director,
Vidarbha Irrigation Development Corporation,
Sinchan Seva Bhavan,
Civil Lines, Nagpur.
3. The Chief Engineer,
Special Project,
Water Resources Department,
Amravati.

Respondents.

Shri G.K. Bhusari, Advocate for the applicant.

Shri S.C. Deshmukh, P.O. for the respondent No. 1.

Shri .G. Palshikar, Counsel for respondent Nos. 2 and 3.

Coram:- The Hon'ble Shri A.P. Deshpande,
Vice-Chairman.

Dated:- 8th January 2013.

Oral order

By consent of learned Counsel appearing for the respective parties, the O.A. is taken up for final disposal at admission stage.

2. Heard Shri G.K. Bhusari, the learned counsel for the applicant, Shri S.C. Deshmukh, the learned P.O. for the respondent No. 1 and Shri V.G. Palshikar, the learned counsel for respondent Nos. 2 and 3. Oral request made by the learned counsel for the applicant for addition of prayer clause (iii) is granted as the same is formal in nature.

3. By filing the present O.A., the applicant is seeking direction against the respondents to consider the representation of the applicant dated 13.8.2012 and post him at Washim or at a nearby place. It is the case of the applicant that he is holding the post of Executive Engineer and has been stationed at Beed whereas the applicant's

wife who is also in service as a Full Time Teacher in an aided college ^{and} is stationed at Washim. According to the learned counsel for the applicant, the policy of the Government which is contained in G.R. dated 31.7.2012 provides that as far as possible the husband and wife ought to be posted at the same place. The representation of the applicant wherein he has prayed for his posting at Washim was not placed before the Committee by the Department for the reason that there were certain discrepancies which are communicated to the applicant vide letter dated 15.10.2012. It is the case of the applicant that he has removed all the discrepancies and intimated the compliance vide letter dated 18.10.2012. The applicant has amended the present O.A. and sought a limited direction against the respondents to place the representation of the applicant dated 1.12.2012 before the Committee for its decision in the light of the policy decision of the Government contained in G.Rs dated 31.7.2012 and 26.11.2012. As the applicant claims that he has removed

the deficiencies/discrepancies as are pointed out vide communication dated 15.10.2012, in my view, cause of justice would advance by directing the Department in the first place to scrutinize the applicant's case and in the second place to put it before the Committee for its consideration. In the result, the O.A. stands disposed of by issuing the following directions:-

(1) The respondent No.1 is directed to scrutinize as to whether the applicant has removed the deficiencies as pointed out in the communication dated 15.10.2012 and if yes, then place the representation of the applicant before the Committee for its consideration in the light of policy decision of the Government contained in the G.Rs dated 31.7.2012 and 26.11.2012.

(2) I hope and trust that the Committee would take a final decision on the representation of the applicant as expeditiously as possible and preferably within a period of three months from the date of communication of this order.

(3) The O.A. stands disposed of in above terms
with no order as to costs.

sd/-

(Justice A.P.Deshpande)
Vice-Chairman

Pdg