

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION No.1124 of 2016

Shri Anil Sampatrao Morey)
 Age 58 years,)
 Add :53, Vivekanand Nagar,)
 Anandvalli G'Pur Road, Nasik 422013.).....Applicant

Verses

1. The State of Maharashtra, through)
 Secretary, Water Resources Depart.,)
 Mantralaya, Mumbai 32.)
2. D.V. Musle, Executive Engineer,)
 Nandur Madhmeshwar Canal, Div.2,)
 At & Post Tal.Vajapur, Dist. A'bad.).....Respondents

Shri C.T. Chandratre, Advocate for the Applicant
 Smt. Kranti Gaikwad, Presenting Officer for the Respondent No.1
 Shri Shyam Patil, Advocate for the Respondent No.2

CORAM : SHRI R.B. MALIK (MEMBER-JUDICIAL)

DATE : 17.03.2017

ORDER

1. The Applicant calls into question the order dated 02.08.2016, whereby he came to be transferred from the post of Executive Engineer, Girna River Valley Project Division, Nashik to Design Division (Power House) No.2, CDO, Nashik-2. The Respondent No.2 on the other hand came to be transferred to the post of the Applicant by the order dated 28.11.2016. These orders are challenged herein.

2. I have perused the record and proceedings and heard Shri C.T. Chandratre, the learned Advocate for the Applicant, Smt. Kranti Gaikwad, the learned Presenting Officer for the Respondent No.1 and Shri Shyam Patil, the learned Advocate for the Respondent No.2.

3. On 01.12.2016, this Tribunal presided over by the Hon'ble Vice-Chairman was pleased to grant interim relief by staying both the orders of transfer and this order has governed the parties till now.

4. Shri C.T. Chandratre, the learned Advocate submits that the Applicant is set to retire on superannuation on 30.04.2017. Taking into consideration this aspect of the matter and regard less of what the parties may or may not say in my opinion, the order of continuing the interim order till 30.04.2017 and its vacation soon thereafter so as to pave way for the Respondent No.2 to take it over any time on 1.5.2017 or thereafter if it suits him can be made. This Original Application is, therefore, disposed of by continuing the interim order dated 01.12.2016 till 30.04.2017, making it clear that on that day interim order shall stand vacated and the Respondent No.2 may then take over that post. No order as to costs.

Sd/-
(R.B. Malik)
Member (J)
17.03.2017

Diction taken by :-vsm

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