

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NOS.23 & 24 OF 2021

DISTRICT : MUMBAI

ORIGINAL APPLICATION NO.23 OF 2021

Sunita Sandipan Mate.)
Age : 42 Yrs., Occu.: Service,)
Presently residing at 502, Nakshtra)
Building, Shailendra Nagar Dahisar,)
Mumbai – 400 068.)...**Applicant**

Versus

1. The State of Maharashtra.)
Through its Principal Secretary,)
Social Justice Department,)
Extension Building, 1st Floor,)
Mantralaya, Mumbai – 400 032.)

2. The Commissioner Social Welfare,)
Maharashtra State, 3, Church Road,)
Pune – 1.)

3. Shri Dhammajyoti Gajbhiye.)
(Indian Postal Service),)
Director General, Dr. Bahasabeb)
Ambedkar Research & Training)
Institute, Pune – 1.)

4. Smt. Mamta Shere.)
Research Officer and Member)
Secretary, District Caste Scrutiny)
Committee, Mumbai City.)
Siddharth Co-op.Hsg.Soc.,)
Panchsheel M1, Matunga Labour)
Camp, Matunga, Mumbai – 19.) ...**Respondents**

WITH**ORIGINAL APPLICATION NO.24 OF 2021**

Salima Rafique Tadavi.)
 Age : 42 Yrs., Occu.: Service,)
 Presently residing at Room No.3,)
 Krushna Building, Bara Bangla, Kovari,)
 Thane.)...**Applicant**

Versus

1. The State of Maharashtra.)
 Through its Principal Secretary,)
 Social Justice Department,)
 Extension Building, 1st Floor,)
 Mantralaya, Mumbai – 400 032.)
2. The Commissioner Social Welfare,)
 Maharashtra State, 3, Church Road,))
 Pune – 1.)
3. Shri Dhammajyoti Gajbhiye.)
 (Indian Postal Service),)
 Director General, Dr. Babasabeb)
 Ambedkar Research & Training)
 Institute, Pune – 1.)
4. Shri Umesh Sonavane.)
 Research Officer and Member)
 Secretary, District Caste Scrutiny)
 Committee, Mumbai City.)
 Siddharth Co-op.Hsg.Soc.,)
 Panchsheel M1, Matunga Labour)
 Camp, Matunga, Mumbai – 19.) ...**Respondents**

Mr. D.B. Khaire, Advocate for Applicants.

Mrs. K.S. Gaikwad, Presenting Officer for Respondents.

CORAM : SHRI A.P. KURHEKAR, MEMBER-J

DATE : 03.02.2021

JUDGMENT

1. Heard Shri D.B. Khaire, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. In these Original Applications, the Applicants have challenged the orders dated 07.01.2021 of withdrawal of work of the Applicants passed by Respondent No.3 – Director General Dr. Babasabeb Ambedkar Research & Training Institute, Pune mainly on the ground of his competency.
3. In order dated 07.01.2021, certain misconduct was attributed to the Applicant, and therefore, their work was immediately withdrawn. On next day, the Respondent No.3 had referred the matter to the Government for appropriate disciplinary action.
4. When the matter was taken up for admission and consideration of interim relief on 11.01.2021, the Tribunal declined to grant interim relief with the observation that the order of withdrawal of work was by way of interim measure and to facilitate the Government to take further action as per law.
5. Today, the learned Presenting Officer submits that the Government has taken decision to transfer the Applicants and necessary orders would be issued on or before 05.02.2021. The statement of learned P.O. is recorded.
6. As such, in view of proposed action of transfer, the Applicants are required to challenge the same by availing legal recourse, if they desire and O.A. deserves to be disposed of.
7. If the Respondents failed to pass appropriate order of transfer or otherwise, as the case may be, on or before 5th February, 2021, in that

event, the Applicants would be entitled for reinstatement in service, subject to further outcome of orders to be passed by the Government.

8. With the above terms, these two O.As are disposed of with no order as to costs.

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

Mumbai

Date : 03.02.2021

Dictation taken by :

S.K. Wamanse.

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