

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO. 322 OF 2015

DISTRICT :Thane

Shri Jayram Vinayak Deshpande)
presently working as)
Jt. District Registrar, Cl.I,)
Thane City, Thane.)
Collector Office Compound, Thane.)...**Applicant**

VERSUS

1. The State of Maharashtra)
through the Principal Secretary)
Revenue and Forest Department)
Mantralaya, Mumbai)
2. The Secretary (Revenue))
(Rehabilitation and Resettlement))
Mantralaya, Mumbai.)
3. Inspector General of Registration)
New Administrative Building)
Opp. Council Hall, Pune-411 001.)
4. Shri U.K. Chavan, Joint District)
Registrar, Oras, Sindhudurg.)....**Respondents**

Shri D.B. Khaire, the learned Counsel for the Applicant.

Shri K.B. Bhise, the learned P.O. for Respondents No.1
to 3.

Shri S.S. Dere, the learned Counsel for Respondent No.4.



CORAM : Shri J.D. Kulkarni, Member (J)

DATE : 29.01.2016

ORDER

1. Heard Shri D.B. Khaire, the learned counsel for the Applicant, Shri K.B. Bhise, the learned P.O. for the Respondents No.1 to 3 and Shri S.S. Dere, the learned Counsel for the Respondent No.4.

2. In this Original Application the Applicant has assailed the order dated 2.05.2015 issued by the State of Maharashtra (Respondent No.1). Vide this order the Respondent No.4 Shri U.K. Chavan has been shown to be posted in place of Applicant as Joint District Registrar in Thane City.

3. The Applicant Shri Jayram Vinayak Deshpande was working as Deputy Collector (Land Acquisition) from 1.10.2011 to 15.8.2013. Vide order dated 15.8.2013 he was relieved from the post but was not given any posting till 6.12.2013. The Applicant was kept on compulsory waiting period from 15.8.2013 to 6.12.2013 and ultimately came to be posted as Sub Divisional Officer, Shriwardhan, District Raigad vide order dated 7.12.2013. Thereafter he was posted as Deputy Collector (EGS), Shindhudurg but was again posted as Deputy Collector, Land Acquisition, Dahanu, Palghar. This posting was also subsequently cancelled.



4. Before completing the period of three years tenure the Applicant was posted as ARO, Raigad Parliamentary Constituency vide order dated 10.6.2014 but subsequently vide order dated 15.9.2014 he came to be postd as Stamp Collector and Joint Registrar, Thane City, Thane under the control of Respondent No.3 that is Inspector General of Registration, Pune.

5. Vide impugned order dated 2.5.2015, the Respondent No.4 Shri U.K. Chavan has been promoted and postd as Joint District Registrar at Thane city, Thane, wherein the Applicant is presently working. The Applicant has prayed that this order dated 2.5.2015 be quashed and set aside.

6. The Respondent No.2 i.e. The Secretary (Revenue) (Rehabilitation and Resettlement) Mantralaya, Mumbai has filed affidavit-in-reply. It is submitted that the Respondent No.4 has been promoted in view of the order passed by this Tribunal and accordingly the Respondent No.4 has joined at his post on 17.6.2015. The Respondent defended the impugned order.

7. The Resondent No.4 has filed affidavit-in-reply and submitted that he has already been relieved from his post on 22.5.2015 and has joined the post of Joint District Registrar on promotion.



8. Heard Shri D.B. Khaire, the learned counsel for the Applicant, Shri K.B. Bhise, the learned P.O. for the Respondents No.1 to 3 and Shri S.S. Dere, the learned Counsel for the Respondent No.4.

9. Perused the application, affidavit-in-reply filed by the Respondents and the various documents placed on record. The learned P.O. has placed on record the copy of the order dated 17.11.2015 issued by the Respondent No.1, from which it seems that the Applicant has been transferred from the post of Deputy Collector (Employment Guarantee Scheme) Raigad to the post of Deputy Collector, Dapoli, district Ratnagiri and the impugned order dated 4.9.2015 has been partially modified. The order dated 17.11.2015 has been placed on record and marked as Annexure 'x'.

10. Learned P.O. for the Respondents as well as learned Counsel for the Respondent No.4 admitted that the order dated 17.11.2015 (Annexure 'x') has been implemented and the Applicant has joined the new post as Sub Divisional Officer, Dapoli. Thus it seems that even the order dated 2.05.2015 in respect of Respondent No.4 and the order dated 17.11.2015 in respect of the Applicant has been implemented and therefore, nothing survives in this O.A.

11. In view thereof, following order :-



Order

O.A. stands disposed of in view of the subsequent development as per order dated 17.11.2015, whereby the Applicant has been posted as S.D.O., Dapoli and since the said order has been implemented. No order as to costs.

(J.D. KULKARNI)
MEMBER (J)

Date : 29.1.2016
Place : Mumbai
Dictation taken by : SBA

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