

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/3007 /2016  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date : 16 AUG 2016

**ORIGINAL APPLICATION NO. 511 OF 2016.**  
**(Sub :- Transfer)**

1. Shri. Mitesh Naraynrao Ghatte,  
C/o. Smt.Punam Mahajan, Advocate for the Applicant.  
....**APPLICANT/S.**

**VERSUS**

- 1 State of Maharashtra, Through  
Chief Secretary, Mantralaya,  
Mumbai-400 032.
- 2 Addl. Chief Secretary, Home Dept.,  
Mantralaya,Mumbai-400 032.
- 3 Shri. Sunil Deorao Deshmukh, B-  
405, Megha Sparsha Hsg. Society,  
S. No.573, Near Yash Lawns,  
Bibawewadi, Pune-37.

...**RESPONDENT/S**

Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 10<sup>th</sup> day of **August, 2016** has made the following order:-*

APPEARANCE : Smt. Punam Mahajan, Advocate for the Applicant.  
Smt. Savita Suryawanshi, P.O. for the Respondents No.1& 2.  
Shri R.M. Kolge, Advocate for the Respondent No. 3.

CORAM : **HON'BLE SHRI RAJIV AGARWAL, VICE-CHAIRMAN.**

DATE : **10.08.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

*Amal*  
16/8/2016  
**Research Officer,**  
**Maharashtra Administrative Tribunal,**  
**Mumbai.**

**10.08.2016**

**O.A No 511/2016**

Shri M.N Ghatte ... Applicant  
 Vs.  
 The State of Maharashtra & Ors... Respondents

Heard Smt Punam Mahajan, learned advocate for the applicant, Ms Savita Suryavanshi, learned Presenting Officer for the Respondents no 1 & 2 and Shri R.M Kolge, learned advocate for Respondent no. 3.

On written instructions from the Applicant, Smt Mahajan sought leave of this Tribunal to withdraw the Original Application. She also placed on record copy of order dated 21.7.2016 by which the posting of Respondent no. 3 to the place where the Applicant was earlier working has been cancelled. As a result the Applicant continued to be posted as S.E.P.O, Khed, Dist-Pune and his grievance no longer survives.

Learned P.O confirms that the order of posting of Respondent no. 3 above has been withdrawn by Respondent no. 1. Learned Advocate Shri Kolge, for Respondent no. 3 vehemently opposed prayer of the Applicant for withdrawal of the O.A.

As the Applicant does not wish to prosecute this Original Application, it is not within the powers of this Tribunal to force the Applicant to continue to agitate his grievance which no longer survives. If Respondent no. 3 is in any way aggrieved by the order of Respondent no. 1, he definitely can institute appropriate legal proceedings. Objection of Respondent no. 3 for withdrawal of O.A is without any basis and foundation and is rejected.

Leave to withdraw the O.A is granted and O.A is disposed of accordingly with no order as to costs.

*R. s.d. ngarwal*  
 (Rajiv Agarwal)  
 Vice-Chairman

Akn

*21/8/16*  
*2*  
*del of*  
*@/16*

TRUE COPY

*Anand*  
 16/8/2016  
 Asst. Registrar/Research Officer  
 Maharashtra Administrative Tribunal  
 Mumbai