

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**

**ORIGINAL APPLICATION No.527 of 2018**

Dr. Ravindranath B. Chavan, )  
R/at. Type IV Quarters, 390-A, Vishnu )  
Sadashiv Parishar, Old Zilla Parishad )  
Chowk, Pune 411 001. ) **....Applicant**

Versus

1. State of Maharashtra, through Principal )  
Secretary, Medical Education & Drugs )  
Department, Gokuldas Tejpal Hospital )  
Building, 9<sup>th</sup> floor, Lokmanya Tilak Road,) )  
Mantralaya, Mumbai 400 001. )
2. Dr. Shekhar Nana Pradhan, Professor, )  
Government Medical College, Miraj. ) **....Respondents**

Smt. Punam Mahajan, Advocate for Applicant.

Smt. Archana B. K., Presenting Officer for the Respondent No.1.

Respondent No.2 served but absent.

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 19<sup>th</sup> November, 2018

**JUDGMENT**

1. The Applicant has challenged the transfer order dated 12.06.2018 issued by the Respondent No.1, whereby he was transferred from the post of Professor, B. J, Government Medical College, Pune to the post of Professor, Government Medical College, Miraj and the Respondent No.2 was transferred in his place at B. J. Government Medical Collage, Pune.

2. The Applicant had joined as Assistant Professor on 06.10.1997 and later he was promoted as Associate Professor in 2002 and thereafter as Professor in 2008. In 2015, he was transferred from Yavatmal to Pune and joined at B. J.

Government Medical College, Pune on 29.06.2015. He is a Group 'A' employee and entitled to one full tenure of three years. However, by impugned order dated 12.06.2018, he has been transferred from B. J. Government Medical College, Pune to Government Medical Collage, Miraj only to accommodate the Respondent No.2. At the time of impugned transfer order dated 12.06.2018, he had not completed the tenure of three years. He had completed two years, eleven months and thirteen days. As such, he was not due for transfer in view of Section 3 of the Maharashtra Government Servants Regulation and Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (herein after referred as Act, 2005). As such, the transfer is in violation of Section 3 of the Act, 2005, it being mid-term and mid-tenure transfer order.

3. The Applicant further contends that the impugned transfer order is malafide and has been issued only to accommodate the Respondent No.2 in his place and it is not for any administrative exigency. As per Section 4(4)(ii) and 4(5) of the Act, 2005, the mid-term or mid-tenure transfer is permissible only when the competent authority satisfies that the transfer is essential due to exceptional circumstances on special reasons after recording the same in writing and with the prior approval of the next higher authority. The Applicant, therefore, contends that the impugned transfer order is in flagrant violation of the mandatory provisions contain in Section 3, 4(4) (ii) and 4(5) of the Act, 2005. Besides there is no approval of Civil Services Board to transfer the Applicant from Pune to Sangli. The impugned transfer order is also in violation of the Government Circular dated 11.02.2015.

4. On the aforesaid pleadings, the Applicant contends that the transfer is malafide, illegal and prayed to quash and set aside the same under Section 21 of the Administrative Tribunal Act, 1985.

5. The Respondent No.1 i.e. the Principal Secretary, Medical Education and Drugs Department, State of Maharashtra in their Affidavit-in-Reply resisted the

application inter-alia denying that the transfer order is malafide or in violation of provisions of Act, 2005. It is not in dispute that the Applicant has not completed three years tenure at B. J. Government Medical College, Pune and has completed tenure of two years, eleven months and thirteen days at the time of impugned transfer order. The Respondent No.1 sought to justify the transfer order dated 12.06.2018 contending that while the Applicant was working as Head of the Department at B. J. Government Medical College, Pune there was complaint dated 13.01.2018 alleging harassment to P. G. students and report was called from the Director of Medical Education and Research, Mumbai. Therefore, in view of the complaint against the Applicant the Respondent No.1 thought it appropriate to transfer him though he has not completed his tenure as a special case after recording the reasons in writing and with a prior permission of the Hon'ble Chief Minister. Besides the Civil Services Board in its meeting held on 28.05.2018 recommended the transfer of the Applicant and to post the Respondent No.2 in the place of the Applicant. The Respondent No.1 thus denied that he has been transferred to accommodate the Respondent No.2 in his place.

6. Thus sum and substance of the reply is that the transfer was necessitated in view of the complaint made against the Applicant and it was recommended by the Civil Services Board and thereafter approved by the Hon'ble Chief Minister. As such, the impugned transfer order has been passed in consonance of the provisions of Section 4(4)(ii) and 4(5) of the Act, 2005. The Respondent No.1, therefore, prayed to dismiss the application.

7. The Applicant has filed the Affidavit-in-Rejoinder inter-alia reiterating the contentions made in the application that the transfer is malafide and no special case is made out for his mid-term and mid-tenure transfer. As per the recommendations of Civil Services Board, the ground for transfer is shown as administrative ground and not on the complaint as alleged by the Respondent No.1 in its reply. As such, the defence put forth by the Respondent No.1 that

the transfer was necessitated on account of complaint is totally incorrect and unsustainable. The Applicant further contends that the meeting and recommendations of Civil Services Board is not in consonance with the Government Resolution dated 31.01.2014. Furthermore, ultimately the complaint on the basis of which the Applicant was allegedly transferred found without any merit in the inquiry conducted by the Committee. The Committee in its report dated 29.01.2018 held that the complaint has been made due to some misunderstanding and lack of communication. Accordingly, the Dean of B. J. Government Medical Collage, Pune submitted his report on 21.06.2018. This again shows that the transfer order was passed in haste without verifying the veracity of alleged complaint and it is in gross violation of the provisions of the Act, 2005 and principles of natural justice.

8. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondent No.1. Respondent No.2 though served is absent.

9. In view of the submission and the facts and circumstances of the case following point arises for my determination.

Whether the impugned transfer order dated 12.06.2018 is in consonance with the mandatory provisions of Section 3, 4 (4)(ii) and 4(5) of the Act, 2005 and sustainable in law and facts.

### **Reasons**

10. Admittedly the Applicant has joined at B. J. Government Medical College, Pune on 29.06.2015 and by impugned transfer order dated 12.06.2018, he has been transferred to the Government Medical College, Miraj. As such, on the date of transfer, he has completed the tenure of two years, eleven months and thirteen days. Thus, it was short of seventeen days to complete the tenure of three years.

11. Learned P.O. for the respondents sought to contend that the short fall of seventeen days for completing full tenure of three years does not render the transfer order mid-term or mid-tenure.

12. Per contra, the learned Counsel for the Applicant pointed out that as per Section 3 of the Act, 2005, the normal tenure in a post is three years and even if the short fall of seventeen days, the transfer has to be said mid-tenure and mid-term.

13. Not let us see the relevant provisions of Act, 2005. As per Section 4 (4) (ii) of the Act, 2005, no Government Servant shall ordinarily be transferred unless he has completed his tenure of posting as provided under Section 3 which is three years in the present case. The transfer list of employees shall be prepared every year in the month of January, who are due for transfer in the months of April and May in the year. Whereas as per Section 4(4)(ii) of the Act, 2005, the transfer of the Government servants shall ordinarily be made only once in the year in the month of April or May. In addition to this, the statutory provisions of the Circular dated 11.02.2015 also stipulates that there shall not be mid-term or mid-tenure transfer. As seen from Paragraph No.7 of the said Circular, there is nothing in the said Circular to suggest that in case of short fall of small period, it could be treated as regular transfer. Needless to mention that where the statute provides for fixed period or to do a particular thing in the prescribed manner in that event that exercise has to be carried out in the manner prescribed by the statute and statutory provisions cannot be trampled upon by moulding it in the manner one desire.

14. Learned P.O. referred to certain decisions rendered by this Tribunal wherein there was short fall of small period for completion of tenure and that was one of the grounds to challenge the transfer order. In this behalf, reference has been made to order passed by this Tribunal in **O.A.No.366/2012 (Mahendra M. Jorwekar V/s State of Maharashtra & Others), decided on 07.01.2013**. In that case, there was short fall of eighteen days. Reference

was also made to **O.A.No.950/2009 (Mr. Shashikant R. Chavan V/s. State of Maharashtra & Ors.), decided on 17.08.2010.** In this case, there was short fall of two days for completion of normal tenure. In addition to short fall for completion of normal tenure, other grounds were also raised to challenge the transfer order. In these facts and circumstances of the cases, the Original Applications were dismissed.

15. On the other hand, learned Advocate for the Applicant referred to the decision rendered by this Tribunal in **O.A. No.694/2009 (Vijay K. Pawar V/s. State of Maharashtra & Anr.), decided on 23.06.2009,** wherein there was short fall of one month for completing normal tenure of three years reference was also made to **O.A.No.392/2015 (Raviraj G. Ilawe V/s. Principal Secretary Industries, Energy and Labour Department), decided on 28.01.2016.**

16. In the decision referred above by the learned Counsels in some matters based upon the facts, the Tribunal's interfered with the orders of transfer, whereas in some cases refuse to interfere in the Tribunal's orders. It is not necessary to deal with the fact and circumstances of each case, as the decisions were given in one case cannot be made applicable out rightly to another case. Needless to mentions that the ratio of any decision must be understood in the background of the fact of that case and little difference in the facts or additional facts may make a lot of difference in the precedential value of a decision. Therefore, from these decisions, it cannot be said that a inflexible rule of law is laid down that in case of short fall of small period for completion of normal tenure, such transfer would be beyond the sphere of judicial interference. Suffice to say each case needs to be decided on the factual background keeping in mind the legal principles and statutory provisions.

17. As discussed above, as per the provisions contained in Sections 3 and 4 of the Act, 2005, there shall not be mid-term or mid-tenure transfer unless exceptional circumstances exist after recording the same in writing and with

prior approval of the next higher authority. In other words, mid-term and mid-tenure are permissible if it satisfies the mandate of Section 4(4)(ii) and 4(5) of the Act, 2005. In view of these statutory provisions in the present case, even if there is a short fall of seventeen days for completion of normal tenure, the impugned transfer being made on 12.06.2018 has to be termed as mid-term and mid-tenure transfer.

18. Once this aspect is set at rest, now let us see whether the respondent no.1 has made out the case that the transfer was essential due to exceptional circumstances or for special reasons.

19. Smt. Punam Mahajan, learned Advocate for the Applicant strongly urged that the transfer is in violation of Section 4(4) (ii) and 4(5) of the Act, 2005 as except showing that it was “on administrative ground” as mentioned in the minutes of the Civil Service Board. No material is forthcoming to specify the reasons for this transfer and mere vague expression “on administrative ground” is not enough in law. She has further pointed out that the stand taken by the Respondent No.1 in the Affidavit-in-Reply is contrary and in variance with the reasons mentioned in the minutes of the Civil Services Board. She has further pointed out that the Applicant has been transferred only to accommodate the Respondent No.2 in his place at Pune.

20. Whereas Smt. Archana B.K., the learned P.O. for the Respondents sought to contend that the transfer was necessitated in view of the complaint dated 13.01.2018 alleging harassment by the Applicant to P.G. students. She has further canvassed that the matter was placed before the Civil Services Board which approved the transfer and then it was approved by the Competent Authority as well as by the Hon’ble Chief Minister. Learned P.O., therefore, sought to justify the impugned transfer order.

21. I find merit in the submission advanced by the learned Advocate for the Applicant that there is variance in the stand taken by the Respondent No.1 in

reply as well as the reason for transfer mentioned in the minutes of Civil Services Board. The minutes of the meeting of Civil Services Board held on 29.05.2018 is placed on record at Page 44 to 46 of the Paper-Book. Interestingly in the minutes, the reasons for transfer of the applicant is shown "on administrative ground". His name is figured at Sr. No.32 in the minutes. Whereas in his place, the Respondent No.2 who is at Sr.No.31 has been posted and the reason for his transfer is shown on request as well as completion of full tenure. Thus, it seems that the Respondent No.2 has completed three years tenure at Government Medical College, Miraj and he requested for transfer on family difficulties. Whereas the reasons for transfer of the Applicant is shown "on administrative ground". No doubt, the said minutes has been approved by the Competent Authority as well as by the Hon'ble Chief Minister. However, the question remains whether it satisfies the mandatory requirement of Section 4 (4) (ii) and 4(5) of the Act, 2005 and the answer is negative.

22. Thus what transpires from the minutes of the Civil Services Board that transfer was made on the administrative ground without recording any exigency or reason for such transfer. The stand taken by the Respondent No.1 in reply that the transfer was made on account of complaint does not found place in the minutes. At the time of oral submission, learned P.O. has produced the file showing agenda wherein there is a reference of placing the matter of transfer before the Civil Services Board on account of complaint. However, it is not reflected in the minutes, therefore, it cannot be said that the transfer was made on account of complaint. Had alleged complaint was the reason for transfer, this ought to have discussed and must have reflected in the minutes. In fact as per Circular dated 11.12.2015, the transfer is not permissible on mere complaint unless it is verified and found substantiated. This aspect will be dealt with a little later in detail. Presently, it is enough to point out that minutes of the Civil Services Board does not support the stand taken by the Respondent No.1 that the transfer has been made on complaint.



23. Now, the material question comes whether the mere mention that the transfer was made on administrative ground is enough to non suit the Applicant. Learned Advocate for the Applicant in this context placed reliance on various decisions to drive home her point that meager expression “on administrative ground” is not sustainable in law and there is no compliance of mandatory provisions of Section 4(4) (ii) and 4(5) of the Act, 2005.

24. Learned Advocate for the Applicant refers to the decision of the **Hon’ble Bombay High Court dated 07.03.2013 delivered in W.P.No.5465 of 2012 (Kishor Mhaske V/s Maharashtra OBC Finance & Development Corporation & Others)**. In that case also mid-term transfer was made with the reason on administrative ground. The Hon’ble High Court held that the vague expression “on administrative ground” cannot be a compliance of the mandatory statutory requirement contemplated in Section 4(4) (ii) and 4(5) of the Act 2005. Paragraph 7 of the judgment is useful in this context which reads as follows:-

“7. We are satisfied in the case in hand that there was non-observance of the statutory requirements of the Act. The mid-term or pre-mature special transfer has to be strictly according to law, by a reasoned order in writing and after the due and prior approval from the competent transferring authority concerned for effecting such special transfer under the Act. The exercise of exceptional statutory power has to be transparent, reasonable and rational to serve objectives of the Act, as far as possible, in public interest. Mandatory requirements of the provision under Section 4(5) of the Act cannot be ignored or bye-passed. The exceptional reasons for the special mid-term or pre-mature transfer ought to have been stated in writing. Vague, hazy and meager expression such as “on administrative ground” cannot be a compliance to be considered apt and judicious enough in the face of mandatory statutory requirements. The impugned order of 10/10 Civil W.P no. 5465 of 2012 the transfer in the absence of mention of special and exceptional reasons was passed obviously in breach of the statutory obligations and suffers from the vices as above. Impugned order dated 30-05 2012 would ex facie indicate that merely because of request made by the respondent no 3 Shri Murar, the Petitioner was sought to be transferred pre-maturely to Raigad. It is therefore unsustainable for want of evenhandedness or fairness to the Petitioner Government employee concerned and we therefore quash and set aside the impugned order of transfer.

25. Reference was also made to **2011 (5) MH. L. J. 158 (Pradeepkumar K. Deshbhratar V/s. State of Maharashtra & Others)**, wherein the mandatory

compliance of Section 4(5) of the Act, 2005 was in issue. The Hon'ble High Court held that the reasons for mid-term or mid-tenure must be recorded in such mid-term transfer cannot be ordered merely showing as a special case to please particular individual. Paragraph 21 of the judgment is useful in this context which reads as follows:-

“21. Perusal of note, as approved by Hon'ble Minister at page 165, again does not show any specific application of mind insofar as the transfer inter se of the petitioner and respondent No.5 is concerned. The specific cases which can be said to be looked into by the Hon'ble Minister are already mentioned by us above. Whether this fact which we have noticed is looked into by Hon'ble Minister or not is not very clear. Section 4(5) permit competent authority in special cases to transfer the petitioner after recording reasons in writing and that too with prior approval of Hon'ble Minister. Thus, section 4(5) of the 2005 Act contemplates such premature transfer only in exceptional cases. The facts above show that request made by the President of Zilla Parishad and recommendation of Hon'ble Minister has been the only reasons for treating the proposal as special case. This is not contemplated by section 4(5) of 2005 Act and reasons to be recorded for permitting such transfer must be spelt out and must be found to be in the interest of administration. Those reasons cannot be ordered as special case to please the particular individual for mere asking. On the contrary, records show that Respondent Nos.2 and 3 have not recorded any special reasons at all. These respondents are not satisfied with relevance of reasons placed before Hon'ble Minister. Hence, they have developed a new story in an attempt to justify that transfer before this court. We, therefore, do not find compliance of provisions of section 4(5) read with section 6 of 2005 Act in the present matter.”

26. Learned Advocate for the Applicant also placed reliance on **2012 (3) Mh. L. J. 197 (S. B Bhagwat V/s State of Maharashtra & Others)**, wherein Hon'ble Bombay High Court reiterated that in case of premature transfer there must be recording of reasons in writing and merely calling the case as a special case does not constitute a sufficient reason. Para 8 of the Judgment which is material in the present context is as follows:-

“8. Ordinarily, a government servant cannot be transferred unless he has completed the tenure of posting. An employee who has not completed his normal tenure of three years may yet be subjected to transfer, as provided in sub-section (5) of section 4. Sub-section(5) of section 4 begins with an overriding non-obstante provision, but requires that reasons have to be recorded in writing in a special case for transferring an employee even prior to the completion of tenure. Merely calling a case a special case does not constitute a sufficient reason. The rationale why the legislature has required that reasons be recorded in writing for transferring an employee even before

completing his tenure is to bring objectivity and transparency to the process of transfer. Indeed, the matter of transfers has been brought within a regulatory framework laid down in the statute enacted by the State Legislature. Section 4(5) permits as an exceptional situation, a transfer to be carried out, notwithstanding anything contained in section 3 or in section 4. The exceptional power must be exercised strictly in accordance with sub-section (5) of section 4. It is a settled portion in law that when a statutory power is conferred upon an authority to do a particular thing, that exercise has to be carried out in the manner prescribed by the statute.”

27. Learned Advocate for the Applicant also referred to the judgments passed by this Tribunal in **O.A.No.459/2006 (Dr. Tulsidas A. More V/s. Principal Secretary, Public Health Department), decided on 22.09.2006, O.A. No.376 with 377/2007 (Murlidhar C. Patil V/s. State of Maharashtra & Others), decided on 04.10.2007**. I don't think it is necessary to deal with the facts and circumstances of these cases as legal principles holding field are squarely covered by the decision of one of the Bombay High Court referred to above.

28. In view of the aforesaid decisions, there is no escape from the conclusion that mere use of word transfer “on administrative ground” is not enough or compliance of the mandatory requirement contemplated in Section 4(4) (ii) and 4(5) of the Act, 2005. No reason is recorded to justify the transfer. In fact the issue of alleged complaint was not at all even discussed much less concluded in the meeting of Civil Services Board which shows lack of application of mind and mechanical approach of the Civil Services Board.

29. There is also another aspect of the matter which also needs consideration as it shatter the very foundation of the stand taken by the Respondent No.1 that the transfer was necessitated because of the complaint against the Applicant. In this behalf in reply, the Respondent No.1 sought to contend that there was complaint of P.G. students against the Applicant and the report was called from the Director of Medical Education and Research, Mumbai. As per reply, the complaint was made on 13.01.2018. Significantly

to counter this position and to bring on record the factual aspect, the applicant along with Affidavit-in-Rejoinder has placed on record the copy of the report of the enquiry committee dated 25.01.2018 which was forwarded by the Dean, B.J. Government Medical Collage, Pune by its letter dated 21.06.2018 to the Director of Medical Education and Research, Mumbai. The copy of the complaint dated 13.01.2018 is also placed on record (Page 43 of the PB). What is significant to note that allegation made in complaint dated 13.01.2018 was inquired into by the Committee constituted in this behalf and it has given clean chit to the Applicant. The Committee did not find any substance in the complaint and concluded that complaint seems to have been made due to misunderstanding and lack of coordination. The date of enquiry report and date of transfer order are material. Enquiry report dated 25.01.2018 was forwarded by the Dean to the Director of Medical Education and Research, Mumbai on 21.06.2018. Whereas the impugned transfer order was passed on 12.06.2018. As such, without waiting for the report of enquiry committee the applicant was transferred prematurely and ultimately as per committee report, the complaint was found without substance. This aspect again exposes unsustainability of the stand taken by the Respondent No.1 that transfer was necessitated on account of complaint. In other words, the Applicant was punished by the impugned transfer order without giving him an opportunity and eventually the complaint found without substance.

30. At this juncture, it would be appropriate to refer Circular dated 11.02.2015. In paragraph 8 of the said Circular guidelines / directions have been issued to deal with such situation. As per these instructions employee cannot be transferred mid-term only on receipt of the complaint. In case of complaint, the Competent Authority is required to ascertain the veracity to the allegations made in the complaint and if necessary the report can be called to take further suitable steps. In case, the substance found in the complaint then in that event the Disciplinary Authority is required to take disciplinary action against employee keeping on same post or in suitable or deserving case, the

Competent Authority can recommend the transfer after recording his reason in this regard. However, in the present case, the Respondent No.1 ignored its own Circular and there is no compliance of the instructions contain in the Circular

31. In this context, it would useful to refer the judgment of the Hon'ble Bombay High Court **2015(2) Mh. L. J 679 State of Maharashtra & Others V/s Dr.(Ms.) Padmashri Shriram Bainade & Others**. In that case, the mid-term transfer was made in view of the allegations of mis-conduct of the concerned employee. The employee was repatriated without verifying the veracity of allegation and was transferred mid-term. The Hon'ble Bombay High Court held that there is violation of principles of natural justice and maintained the judgment of Tribunal quashing the order of Tribunal. Paragraph Nos.22 and 23 of the judgment which is useful in this purpose :-

“22. The decision so taken, in the background, in breach of principle of statutory provisions and the principle of natural justice is bad in law, as this amounts to punishment/punitive action based upon unproved alleged misconduct and dereliction of duty. The transfer order refers to the repatriation action also, but the State has invoked the [State Act](#). This also reflects the non-application of mind, confusion and any concrete foundation or motive. The process followed to take such decision was wrong and arbitrary.

23. The transfer is a part of service contract and/or the service jurisprudence. "Transfer is an incidence of service" - "Reason to be recorded" - cannot read to mean, no reason should not be communicated at any circumstances, specially when it is obligatory on the part of the State to act fairly, transparently and reasonably. The decision needs to be actuated by consideration based on law and the record and certainly not an extraneous consideration. Unreasoned order is always vulnerable to challenge and stated to be mala fide. The State/Authority needs to act bona fide. Therefore, cannot be restricted to meant for and/or with the private record/department. It must be reflected before taking any action/order. Perversity or irrationality, bonafide, legality of reasons difficult to test, if not disclosed at the time of order/action itself. It is normally the unreasoned mid-term order or such orders are vulnerable to challenge. An executive order on undisclosed or unreasoned foundation of alleged misconduct and dereliction of duty is also vulnerable to challenge on the ground of malice in law. Such undisclosed burdened mid-term order of transfer affects the status of the employee, it violates the service conditions thus illegal, though it is administrative order. It has civil consequences. The principle of natural justice is applicable. [The State Act](#) and not any guidelines govern such State Government transfer order, such transfer order is arbitrary, irrational and violates [Article 14](#) of the Constitution of India.”

32. As such, the principles laid down in the aforesaid decision of the Hon'ble Bombay High Court are clearly attracted to the present case. Besides there is no compliance of mandatory requirement contemplated under Section 4(4)(ii) and 4(5) of the Act, 2005. As such, it clearly spells that the transfer has been made only to accommodate the Respondent No.2 in place of the Applicant and entire exercise was done to oblige the Respondent No.2. The impugned transfer order is, therefore, not sustainable in law.

33. In view of the discussion in forgoing paragraphs, the Original Application is deserves to be allowed. Hence the following order.

**ORDER**

- a) The Original Application is allowed.
- b) The impugned transfer dated 12.06.2018 transferring the Applicant from the post of Professor, B. J. Medical Collage, Pune to Government Medical Collage, Miraj is hereby quashed and set aside.
- c) The Respondent No.1 is directed to re-post the Applicant at his earlier place in B.J. Medical Collage, Pune within a period of month from today.
- d) Parties to bare their own costs.

**Sd/-  
(A.P. KURHEKAR)  
MEMBER (J)**

Place : Mumbai  
Date : 19.11.2018  
Dictation taken by : V.S. Mane  
*E:\VSO\2018\Nov 18\O.A.527 of 2018, transfer.doc*