

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**NAGPUR BENCH NAGPUR**

**ORIGINAL APPLICATION NO. 752/2021 (S.B.)**

Mohd. Shalik Shaikh Ibrahim,  
Aged about 48 years, Occ.  
Service, R/o. Mirzanagar, Ward No.6,  
Buldana, District Buldana.

**Applicant.**

**Versus**

- 1) The State of Maharashtra  
through its Secretary,  
Department of Home,  
Mantralaya, Mumbai-400 032.
- 2) Superintendent of Police,  
Buldana, District Buldana.

**Respondents**

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Smt. S.Kulkarni, Ld. counsel for the applicant.  
Shri S.A.Sainis, Ld. P.O. for the respondents.

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**Coram:-Hon'ble Shri M.A.Lovekar, Member (J).**

**Dated: - 15<sup>th</sup> February 2023.**

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**JUDGMENT**

**Judgment is reserved on 08<sup>th</sup> February 2023.**

**Judgment is pronounced on 15<sup>th</sup> February, 2023.**

Heard Smt.S.Kulkarni, learned counsel for the applicant and Shri

S.A.Sainis, learned P.O. for the Respondents.

2. Case of the applicant is as follows.

He joined the respondent department as Police Constable on 29.04.1995, served at various places and was transferred on promotion as Head Constable on 18.12.2014 to Motor Transport Division, Buldana. As per Section 22N of the Maharashtra Police Act normal tenure of this post was 5 years after which he should have been transferred. However, he was returned with malafide intention. He has successfully completed training of Bomb Disposal Squad on 06.08.2021 (Annexure A-1). His representations for transfer to B.D.D.S. Squad were not considered. Hence, this O.A. seeking declaration that he is entitled to be transferred to B.D.D.S. Squad.

3. In his reply respondent no.2 has stated that by order dated 31.08.2021 the applicant was transferred to Police Station Shegaon city where he joined on 08.10.2021. Respondent no.2 has denied all adverse allegations of malafides, etc.

4. The applicant has placed on record copy of application dated 02.02.2023 for his transfer on request. Considering these facts the O.A. can be disposed of by passing the following order.

**ORDER**

The O.A. is disposed of in the following terms-

The respondents are directed to consider application dated 02.02.2023 filed by the applicant for request transfer – on its own merits and communicate the decision to the applicant. No order as to costs.

(M.A.Lovekar)  
Member (J)

Dated – 15/02/2023

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Raksha Shashikant Mankawde  
Court Name : Court of Hon'ble Member (J) .  
Judgment signed on : 15/02/2023.  
and pronounced on