

Pune.)... Applicant

Versus

1. State of Maharashtra & Anr.)... Respondents

WITH

ORIGINAL APPLICATION NO.500 of 2019

Shri Rajendra Dnyanoba Kachare,)
Working as Head Constable, Society)
Security Cell, Crime Branch, Pune,)
Residing at 930, Shukrawar Peth,)
Khadak Police Line, Room No.5,)
Pune - 411 002.)... Applicant

Versus

1. State of Maharashtra & Anr.)... Respondents

WITH

ORIGINAL APPLICATION NO.501 of 2019

Shri Naresh Anandrao Balsane.)
Working as Police Hawaldar, Social)
Security Cell, Crime Branch, Pune.)
Residing at Na Ta Wadi, Shivaji Nagar,)
Pune - 411 005.)... Applicant

Versus

1. State of Maharashtra & Anr.)... Respondents

WITH

ORIGINAL APPLICATION NO.502 of 2019

Shri Sachin Bhau Kadam.)
Working as Police Naik, Social Security)
Cell, Crime Branch, Pune, Residing at)
4812, Ganesh Nagar, Wadgaon Shire,)
Pune - 411 014.)... **Applicant**

Versus

1. State of Maharashtra & Anr.)... **Respondents**

WITH**ORIGINAL APPLICATION NO.503 of 2019**

Shri Sandip Prakash Gaikwad.)
Working as Police Constable, Social)
Security Cell, Crime Branch, Pune.)
Residing at Anshu Park, Bhosale Village,)
Hadapsar, Pune.)... **Applicant**

Versus

1. State of Maharashtra & Anr.)... **Respondents**

WITH**ORIGINAL APPLICATION NO.504 of 2019**

Smt. Rupali Suresh Chandgude.)
Working as Police Naik, Social Security)
Cell, Crime Branch, Pune.)
Residing at Shikunj Nagar Society B-B,)
Flat No.1, Kondhwa BK,)
Pune - 411 048.)... **Applicant**

Versus

1. State of Maharashtra & Anr.)... Respondents

WITH**ORIGINAL APPLICATION NO.505 of 2019**

Smt. Supriya Nitin Shewale.)
Working as Police Naik, Social Security)
Cell, Crime Branch, Pune.)
Residing at Bhawani Peth Police Line,)
Room No.70, Pune - 411 002.)... Applicant

Versus

1. State of Maharashtra & Anr.)... Respondents

WITH**ORIGINAL APPLICATION NO.506 of 2019**

Smt. Anuradha Subhash Dhupal.)
Working as Police Naik, Social Security)
Cell, Crime Branch, Pune.)
Residing at 2/32, Somwar Peth Police Line,)
Pune.)... Applicant

Versus

1. State of Maharashtra & Anr.)... Respondents

WITH**ORIGINAL APPLICATION NO.507 of 2019**

Smt. Geetanjali Rajendra Jadhav.)

Working as Police Head Constable, Social)
Security Cell, Crime Branch, Pune.)
Residing at Dr. Babasaheb Ambedkar)
Housing Society, Yerwada, Pune - 411 006.)... **Applicant**

Versus

1. State of Maharashtra & Anr.)... **Respondents**

WITH

ORIGINAL APPLICATION NO.508 of 2019

Smt. Kavita Vijay Nalawade.)
Working as Police Head Constable, Social)
Security Cell, Crime Branch, Pune.)
Residing at S. No.421, Ganesh Nagar,)
Vadagaon Sheri, Pune - 411 014.)... **Applicant**

Versus

1. State of Maharashtra & Anr.)... **Respondents**

Mrs. Punam Mahajan, Advocate for Applicants.

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

CORAM : A.P. KURHEKAR, MEMBER-J

DATE : 09.08.2019

JUDGMENT

1. In these Original Applications, the Applicants who were serving as Police Constable in Social Security Cell, Crime Branch, Pune, challenged their transfer order dated 31.05.2019 whereby they are transferred to various police stations within Commissionerate, Pune.

2. The following chart shows their tenure with Social Security Cell, Crime Branch and the places where they are transferred by common transfer order dated 31.05.2019 by the Respondent No.2 Commissioner of Police, Pune.

Sr. No.	Name	O.A. Nos.	Transferred from	Transfer Date	Place of Transfer by impugned order	Sr. No.	Period
1	Rajendra Damodar Nanaware	498/2019	HQ to Crime Branch	27/07/2018	Kondhwa Police Station	26	10 months
2	Nilesh Namdeo Palve	499/2019	Vimantal to Crime Branch	27/07/2018	Mundhwa Police Station	31	10 months
3	Rajendra Dnyanoba Kachare	500/2019	HQ to Crime Branch	27/05/2017	Bharti Vidyapeeth Police Station	7	2 years
4	Naresh Anandrao Balsane	501/2019	HQ to Crime Branch	02/08/2017 (joined on 14/06/2018)	Dattawadi Police Station	9	11 months
5	Sachin Bhau Kadam	502/2019	Chandannagar to Crime Branch	27/05/2017	Deccan Police Station	20	2 years
6	Sandip Prakesh Gaikwad	503/2019	Shivajinagar to Crime Branch	28/05/2016	Chandannagar Police Station	30	3 years
7	Rupali Suresh Chandgude	504/2019	Traffic to Crime Branch	30/05/2015	Market yard Police Station	23	4 years
8	Supriya Nitin Shewale	505/2019	HQ to Crime Branch	30/05/2015	Sahakarnagar Police Station	24	4 years
9	Anuradha Subhash Dumal	506/2019	HQ to Crime Branch	05/08/2016	Bharti Vidyapeeth Police Station	13	2 years 11 months
10	Geetanjali Rajendra Jadhav	507/2019	Airport of Crime Branch	17/04/2015	Faraskhana Police Station	6	4 years 1 month
11	Kavita Vijay Nalawade	508/2019	Faraskhana to Crime Branch	31/5/2014 (joined to 27/09/2014)	Bundgarden Police Station	5	4 years 9 months

3. The Applicants have assailed the impugned transfer order contending that they have not completed normal tenure of five years in Crime Branch but by impugned transfer order dated 31.05.2019 they have been transferred

without proper compliance of Section 22N(2) of Maharashtra Police (Amendment) Act, 2015 (hereinafter referred to as "Act 2015" for brevity). According to them, no case is made out for their mid-tenure transfer for the grounds mentioned in the impugned transfer order. The Applicants, therefore, contend that impugned action is arbitrary and abuse of process of law and prayed to quash the same.

4. The Respondent No.2 resisted the Application by filing Affidavit-in-Reply and raised common ground in all these Original Applications. The Respondents contend that P.E.B. at Commissionerate level in its meeting dated 31.05.2019, it was resolved to transfer the Police Constables presently serving in Social Security Cell, Crime Branch, Pune to other Police Stations to utilize their services more effectively for the benefit of public at large. The Applicants serving in Social Security Cell, Crime Branch were found working satisfactorily and have good service record. The P.E.B., therefore, thought it appropriate to utilize their services at Police Station level so as to curb crime, illegal activities and for social security. As such, the transfers are effected invoking Section 22N(2) of 'Act 2015' in public interest and on account of administrative exigency. The Respondents thus deny that transfer order suffers from any illegality and prayed to dismiss the Original Applications.

5. Smt. Punam Mahajan, learned Counsel for the Applicants vehemently urged that the ground relied for transfer as reflected in P.E.B. meeting cannot be termed 'administrative exigency' to warrant mid-term transfer of the Applicants. She urged that normal tenure of the Applicant is five years and in absence of special reasons or exigency, they can't be transferred in such manner otherwise the very purpose to fix the tenure would be frustrated and there would be no guarantee of normal tenure. She emphasized that the reasons stated in P.E.B. Minutes does not satisfy the requirement of Section 22N(2) of 'Act 2015'. She further commented that if the analogy for the

ground referred by P.E.B. is accepted, in that event it would be amounting to giving lever to the Respondents to transfer good as well as bad constables at any point of time and it would be render Section 22N(2) of 'Act 2015' nugatory and redundant. In this behalf, the learned Advocate for the Applicants referred to certain decisions, which will be dealt with a little later.

6. Whereas, Smt. Kranti Gaikwad, learned P.O. submitted that having regard to the good services record of the Applicants and their experience in Social Security Cell, Crime Branch, the P.E.B. thought it appropriate to utilize their services in Police Stations in public interest and, therefore, the P.E.B. invoking Section 22N(2) of 'Act 2015' transferred the Applicants to various Police Stations. To bolster-up the contention and to justify the impugned transfer order, the learned P.O. sought to place reliance on the decision rendered by this Tribunal, Bench at Nagpur in ***O.A.467/2017 (Vazeer H. Shaikh Vs. State of Maharashtra) decided on 12th October, 2017*** and confirmed by Hon'ble High Court in ***Writ Petition No.6809/2017, decided on 15th November, 2017.***

7. In view of submissions advanced at the Bar, the question posed for consideration is whether such a mass transfers can be termed as an exceptional case or administrative exigency so as to bring it within the purview of Section 22N(2) of 'Act 2015' and the answer is in negative for the reasons to follow.

8. At this juncture, it would be apposite to see the decision recorded by PEB while effecting these transfers. The relevant portion of the minutes is as follows :-

“सामाजिक सुरक्षा विभागामध्ये कार्यरत असलेल्या कर्मचारी यांचे सेवाभिलेखाचे अवलोकन केले असता बहुतांश कर्मचारी यांना त्यांच्या कौशल्य, कामगिरी बद्दल जास्त प्रमाणात बक्षिस प्राप्त आहेत. तसेच मागील तीन वर्षांचे गोपनीय अहवालाचे अवलोकन केले असता सर्व कर्मचारी यांचे शिरे उत्कृष्ट व अतिउत्कृष्ट

प्रतवारीचे असल्याचे निदर्शनास आले आहे. यावरून सदरचे कर्मचारी हे त्यांचे शाखेमधील माहितगार व त्यांचे जवळ गोपनीय माहिती काढण्याचे नेटवर्क या सर्व ज्ञानाचा उपयोग सामाजिक सुरक्षा शाखेमध्ये अवैध धंदेवर परिणामकारक कारवाई करण्याकरीता उपयोगात आलेला असल्याचे दिसून येते.

सदर पोलीस कर्मचारी यांची पोलीस ठाणे स्तरावर नेमणूक केल्यास पोलीस ठाणे स्तरावरील अवैध धंद्यांवर कारवाईस आणि प्रतिबंध करण्यास मदत होईल व समाजामधील दुर्बल घटक जसे महिला, बालक, व ज्येष्ठ नागरिक इ. यांचे सुरक्षीतेकरीता व सार्वजनिक सुव्यवस्थेसाठी वर्धक राहिल असे आस्थापना मंडळ यांना वाटले यास्तव सामाजिक सुरक्षा विभागामध्ये नेमणुकीस असलेले सर्व पोलीस कर्मचारी यांना वेगवेगळे पोलीस ठाणेस नियुक्ती/बदली देणेबाबत पोलीस आस्थापना मंडळ यांना महाराष्ट्र पोलीस अधिनियम-१९५१ मधील कलम २२ (एन) (१) मधील तरतूदीप्रमाणे म्हणजे (1) Public Interest and (2) On account of Administrative exigency या दोन्ही निकषाच्या आधारावर त्यांचे नांवासमोर दर्शविल्याप्रमाणे बदली करण्याचा सर्वानुमते निर्णय घेण्यात आला आहे.’’

9. By the aforesaid decision, 24 Constables who were serving in Crime Branch were transferred to various Police Stations stating that their services can be better utilized in Police Stations. Therefore, the question arises whether it fulfills the intent and purport of Section 22N(2) of ‘Act 2015’.

10. Here, it would be apposite to reproduce Section 22N, which is as follows :-

“**22N.** Normal tenure of Police Personnel, and Competent Authority [(1) Police Officers in the Police Force shall have a normal tenure as mentioned below, subject to the promotion or superannuation:-

- (a) for Police Personnel of and above the rank of Deputy Superintendent of Police or Assistant Commissioner of Police a normal tenure shall be of two years at one place of posting;
- (b) for Police Constabulary a normal tenure shall be of five years at one place of posting;
- (c) for Police Officers of the rank of Police Sub-Inspector, Assistant Police Inspector and Police Inspector a normal tenure shall be of two years at a Police Station or Branch, four years in a District and eight years in a Range, however, for the Local Crime Branch and Special Branch in a District and the Crime Branch and Special Branch in a Commissionerate, a normal tenure shall be of three years;
- (d) for Police Officers of the rank of Police Sub-Inspector, Assistant Police Inspector and Police Inspector a normal tenure shall be of six years at Commissionerate other than Mumbai, and eight years at Mumbai Commissionerate;
- (e) for Police Officers of the rank of Police Sub-Inspector, Assistant Police Inspector and Police Inspector in Specialized Agencies a normal tenure shall be of three years.]

The Competent Authority for the general transfer shall be as follows, namely:-

	Police Personnel		Competent Authority
(a)	Officers of the Indian Police Service.	Chief Minister
(b)	Maharashtra Police Service Officers of and above the rank of Deputy Superintendent of Police.	Home Minister
(c)	Officers up to Police Inspector	(a) Police Establishment Board No.2. (b) Police Establishment Board at Range Level (c) Police Establishment Board at Commissionerate Level. [(d) Police Establishment Board at District Level (e) Police Establishment Board at the Level of Specialized Agency]:

Provided that, the State Government may transfer any Police Personnel prior to the completion of his normal tenure, if,-

- (a) disciplinary proceedings are instituted or contemplated against the Police Personnel; or
- (b) the Police Personnel is convicted by a court of law; or
- (c) there are allegations of corruption against the Police Personnel; or
- (d) the Police Personnel is otherwise incapacitated from discharging his responsibility; or
- (e) the Police Personnel is guilty of dereliction of duty.

(2) In addition to the grounds mentioned in sub-section (1), in exceptional cases, in public interest and on account of administrative

exigencies, the Competent Authority shall make mid-term transfer of any Police Personnel of the Police Force.”

As per Section 2(6A), “General Transfer” means posting of a Police Personnel in the Police Force from one post, office or Department to another post, office or Department in the month of April and May of every year, [after completion of normal tenure as mentioned in sub-section (1) of section 22N].

Whereas, as per Section 2(6B) “Mid-term Transfer” means transfer of a Police Personnel in the Police Force other than the General Transfer.”

11. Admittedly, none of the Applicant has completed normal tenure of five years as contemplated under Section 22N(1)(b) of ‘Act 2015’ and this being the position, these are mid-tenure transfers which require compliance of Section 22N(2) of ‘Act 2015’. True, as per Section 22N(2), the PEB is competent to transfer the Police Personnel even before expiration of normal tenure, but it should be in exceptional cases, in public interest and on account of administrative exigencies. It needs to be borne in mind that the amendments in ‘Act 2015’ providing fix tenure and the provision regulating to mid-term or mid-tenure transfer has been effected in 2015 in view of decision of Hon’ble Supreme Court in ***Prakash Singh & Ors. Vs. Union of India & Ors. : (2006) 8 SCC 1***. In pursuance of these directions, the PEBs are constituted for the transfers and other service related matters of Police Personnel. Suffice to say, the object incorporated in these provisions of ‘Act 2015’ is to ensure normal tenure to the Police Personnel so that they should discharge their duties without fear of favour and transfer should not be made by the Department as per their whims or desire. It is permissible only in exceptional cases, in public interest and on account of administrative exigencies.

12. However, surprising to note that in the present matter, 24 Police Constables are transferred stating that their service record is excellent, and therefore, their services can be better utilized in Police Stations. With this ostensible reason, they are transferred to various Police Stations before completion of their normal tenure. In my considered opinion, such a general transfer recorded by PEB can hardly be termed to bring the transfer within the purview of Section 22N(2) of 'Act 2015'. If such contention is allowed, then any Police Personnel can be transferred at any point of time terming that his services are required at other place which would defeat the very purpose of the amendments incorporated in 'Act 2015' in pursuance of decision rendered by Hon'ble Supreme Court in **Prakash Singh's** case. It would be amounting to permit the PEB to transfer Police Personnel as per their desire making a show that their services are required at other places. This could hardly be considered as an exceptional case or to fulfill the requirement of administrative exigency as contemplated under Section 22N(2) of 'Act 2015'. Such interpretation is never intended by the legislature and if the contentions of the Respondent are accepted, the provision itself would render nugatory and meaningless.

13. Material to note that there is absolutely nothing to suggest that the Police Constables who are presently working in the concerned Police Stations where the Applicants are transferred are incompetent to handle the situation or there is some serious problem of law and order situation in all these Police Stations which cannot be solved or attended to without transferring the Applicants to these Police Stations. There is also nothing to suggest that the Police Constables presently working at these Police Stations are short of required strength or unable to discharge their duties efficiently. In absence of any such material, the bare words that their transfers are necessary to utilize their services in better manner at the legal of Police Stations can hardly be

accepted to fulfill the requirement of law. The intent and object of the law cannot be allowed to be defeated by such specious and general ground that their services are required at other place.

14. True, the transfer is an incidence of service and it falls within the domain of the executive and the same should not be normally interfered with. However, where the transfers are shown in contravention of express provisions of law or transfers are made without showing public interest or administrative exigency, it cannot be sustained in law by giving the nomenclature of administrative exigency. What is the actual administrative exigency and whether it really requires the transfer is the question of fact depending upon the facts and circumstances of the case. It is also equally true that the administrative exigency needs to be considered from the point of service jurisprudence but at the same time, the Respondents cannot be allowed to make such mass transfers by cutting short the normal tenure of Police Personnel guaranteed under law without demonstrating actual administrative exigency.

15. It may be noted that the transfers of Civil Servants are also now controlled and regulated by the 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' (hereinafter referred to as 'Transfer Act 2005' for brevity) wherein also there is provision for mid-term and mid-tenure transfer in exceptional circumstances or for special reasons and for administrative exigencies. As per Section 4(5) of 'Transfer Act 2005', the Competent Authority may in special cases after recording reasons in writing and with the prior permission of the immediately preceding competent transferring authority as mentioned in Table of Section 6 can transfer the Government servant before completion of his tenure of post. While dealing with this aspect, the Hon'ble High Court in

Writ Petition No.7960/2011 (Harish M. Baijal Vs. State of Maharashtra) in

Para No.18 held as follows :-

“18. Section 4(5) of the Transfer Act saves the State Government’s power to transfer a Government Officer in exceptional circumstances or for special reasons, both in the interest of the administration as well as the career of the officer concerned. However, the power which is required to be exercised in exceptional cases cannot be exercised as a matter of rule. We are surprised to note that out of the 74 police officers transferred by the order dated 26/5/2011, 55 of them were claimed to have been transferred as special cases under Section 4(5) of the Transfer Act and thus the special transfers which are exceptions, became the rule and thereby the intention of the Transfer Act is completely defeated. The Transfer Act has assured a tenure of three years ordinarily, to the Government Servants and it could be cut short only in exceptional or special circumstances as contemplated under Section 4(5) of the Transfer Act.”

16. True, the Judgment in **Harish M. Baijal’s** case (cited supra) is arising from ‘Transfer Act 2005’ but the principles discussed therein are aptly applicable to the present situation. The Hon’ble High Court has clarified that there has to be special reasons for such mid-term or mid-tenure transfer and it should not be rule, otherwise the intention of the legislature will be completely defeated.

17. The learned Counsel for the Applicants further referred to **(2012) 3 Bom CR 442 (Purushottam G. Bhagwat Vs. State of Maharashtra & Ors.)** wherein while dealing with the aspect of transfer, the Hon’ble High Court in Para No.15 held as follows :-

“15. It can thus be seen that while interpreting the aforesaid provision of the said Act, this Court would also have to apply Heydon’s rule or the mischief rule. It will have to be seen as to what was the position before making the enactment of the Act. What was the mischief and defect for which the law did not provide earlier and what remedy the legislature has found to cure the disease and the true reason of the remedy. After applying this, the Courts will have to make such interpretation, which shall suppress the mischief and advance the remedy. This legal principle has been consistently followed by the Apex Court and various High Courts while interpreting the statutes. It can

be seen that prior to the aforesaid enactment coming into force, there was no enactment to regulate the transfers of the Government servants and the Government servants were transferred at the sweet will of the authorities concerned. In order to do away with the arbitrary powers of the authorities, an enactment to regulate such transfers was found necessary. With that purpose, to suppress the mischief of an unguided, un-channalized power to transfer the Government servants, the said Act was enacted. The remedy provided was to regulate the transfers in accordance with the said enactment."

18. Suffice to say, the object of law cannot be allowed to be defeated. There has to be special reasons or administrative exigency to warrant mid-tenure transfer and it should be exception and not rule. In the present matter, the Respondents are treating it as a rule under the disguise of administrative exigency which does not exist.

19. Per contra, the learned Presenting Officer sought to place reliance on the decision delivered by this Tribunal, Bench at Nagpur in **Vazeer Shaikh's** case, which has been confirmed by Hon'ble High Court in Writ Petition No.6809/2017 (cited supra). In that case, the Applicant Vazeer Shaikh was attached to Economic Offence Wing, Nagpur. During that period, the Respondents therein had formed Special Investigation Team to conduct special enquiry into the cases of Land Grabbing and the Applicant was part of the said Special Investigation Team. However, by order dated 24.05.2017, he was directed to handover the investigation papers and further directed only to investigate one Crime No.312/2016. On this background, he was transferred by order dated 04.07.2017 from Economic Offence Wing to Traffic Branch, Nagpur. The Respondents therein opposed the O.A. stating that on 24.05.2017, the Joint Commissioner of Police, Nagpur directed the Applicant to handover all investigation papers, but he did not obey the orders and even did not report to incharge of Special Investigation Team. He was attending Special Investigation Team as per his whims and desire. At the same time, there was urgency of one Officer for Road Safety Programme in Traffic Branch

in view of undergoing construction of Metro Rail. The said post of Traffic Branch was vacant. It is in that context, the Applicant was transferred to Traffic Branch in public interest on the ground of administrative exigency. As such, in the facts of the case, the challenge to the transfer order was dismissed and the Judgment was also confirmed by Hon'ble High Court in Writ Petition. The Hon'ble High Court observed that the regulation of traffic was necessary in public interest, and therefore, the transfer should not be interfered with.

20. In my considered opinion, the Judgment in **Vazeer Shaikh's** case (discussed above) is hardly of any assistance to the learned P.O. in the present context. As stated above, no such special urgency is demonstrated while making mass transfers under the colour that their services need to be utilized at Police Station level. Mere mention in PEB minutes that their services are required at Police Station level without disclosing any urgency or special reason cannot be accepted, as it would render the law nugatory and it would be amounting giving leverage to the Respondents to transfer any Police Personnel at any point of time and such Police Personnel will be left without remedy. This is not at all intended by the legislature while incorporating Section 22N(2) in 'Act 2015' on the background of the direction given by Hon'ble Supreme Court in **Prakash Singh's** case.

21. There is one more angle, which runs counter to the Respondents' contention of transfer on administrative exigency and fully expose their stand. The learned Advocate for the Applicants has tendered Office Order issued by Respondent No.2 on 16.07.2019 whereby transfer of various Police Personnel made by order dated 31.05.2019 have been cancelled on their request. The perusal of order dated 16.07.2019 reveals that various Police Constables who were transferred from Crime Branch to different Police Stations subsequently made representation for cancellation or modification of the transfer order

dated 31.05.2019 and they were obliged by giving posting as per their choice. This aspect surely in contrast to the view taken by Civil Services Board while transferring them from Crime Branch to various Police Stations. Had the services of all these Police Constables were genuinely required at different Police Stations, then the Respondent No.2 would not have cancelled these transfers and would have taken firm stand that the services of these Police Personnel are indispensable at Police Stations. However, it is not so and the Respondent No.2 readily obliged the Police Personnel who requested for modification of transfer orders. The learned P.O. fairly admits the cancellation of transfers of some Police Constables but sought to defend the same stating that it was done on the request. This is nothing but lame excuse which itself shows hollowness of impugned action. Suffice to say, this aspect fortify the conclusion that there was no such genuine administrative need of their transfers.

22. As such, there are reasons to hold that the Applicants were transferred without having any such administrative exigency under the disguise on specious and ostensible reason that their services are required at other Police Stations. This is a very novel method adopted in an attempt to make transfers by giving it colour of administrative exigency which does not really exist. Suffice to say, the impugned transfer order is not sustainable in law.

23. The necessary corollary of aforesaid discussion leads me to conclude that the impugned transfer order does not fit within rigor and intent of law, as contemplated under Section 22N(2) of 'Act 2015'. The O.A, therefore, deserves to be allowed. Hence, the following order.

ORDER

- (A) All these Original Applications are allowed.
- (B) The impugned transfer order dated 31.05.2019 qua the Applicants are quashed and set aside.
- (C) The Respondents are directed to reinstate the Applicants on the post they were transferred from within two weeks from today.
- (D) No order as to costs.

Sd/-

(A.P. KURHEKAR)
Member-J

Mumbai

Date : 09.08.2019

Dictation taken by :

S.K. Wamanse.

D:\SANJAY WAMANSE\JUDGMENTS\2019\8 August, 2019\O.As.498 to 508.19.w.8.2019.Transfer.doc