

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

MISC APPLICATION NO 85 OF 2025

IN

ORIGINAL APPLICATION NO 846 OF 2024

DISTRICT : THANE

Shubhangi Vijay Hitare)
Occ-Co-operative Officer, Grade-II,)
In the office of Dy. Registrar,)
Co-operative Societies, Dombivli.)
R/at 601, Bldg No. 15, Vaibhav CHS)
Riverwood Park, Kalyan Shil Road,)
Dist-Thane [W] 421 204.)...**Applicant**

Versus

1. The State of Maharashtra)
Through Addl. Chief Secretary,))
Co-operation [Co-operation,)
Textile and Marketing Dept,)
Mantralaya, Mumbai 400 032.)
2. The Registrar & Commissioner)
Co-operative Societies,)
M.S, Pune, Central Building,)
New Railway Station,)
Pune 411 001.)
3. The Divisional Joint Registrar,))
Co-operative Societies,)
Konkan Division, 3rd floor,)
Navi Mumbai.)

4. Shri Ram Bindo Kulkarni,)
Occ-Service, holding the post)
of Deputy Registrar,)
Co-operative Societies,)
Dombivli, Dist-Thane.)...**Respondents**

Shri S.S Dere with Ms Pooja Mankoji and Ms Sonali Pawar, learend advocate for the Applicant.

Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 25.02.2025

J U D G M E N T

1. The present Misc Application is filed to recall the order dated 8.1.2025, whereby the Original Application No. 846/2024 was allowed to be withdrawn on the basis of the Pursis dated 8.1.2025, filed by the applicant. Learned counsel submits that Respondent No. 4, Shri R.B Kulkarni, is served through email and affidavit of service is filed.

2. Learned P.O on instructions from the office of the Registrar & Commissioner, Co-operative Societies, Pune, submitted that the applicant could not be given posting at Dombivli because criminal case filed by her against Shri R.B Kulkarni is pending before the J.M.F.C, Kalyan and also Labour Court.

3. Perused Exh. I in which the applicant has stated as follows:-

“मी केलेल्या अर्जाबाबत शासनाने सामंजस्याची भुमिका घेतलेली असून त्यावर माझे समाधान झालेले आहे त्यामुळे मी दाखल केलेली याचिका मुळ अर्ज क्र. ८४६/२०२४ हा मागे घेत आहे”.

4. Learned counsel has referred to the application dated 9.1.2025, Exh. M-3, submitted by applicant to Respondent No. 3, informing that she has withdrawn the Original Application and she has requested that her transfer to Thane be cancelled and she be posted in the office of Assistant Registrar, Co-operative Societies, Ulhasnagar temporarily and her Establishment be kept in the office of Deputy Registrar, Co-operative Societies, Dombivli.

5. Perused the application at Exh. M-3. It shows noting of the office of Respondent No. 3, wherein remark is made on the said application that as per request made by the applicant the proposal is to be sent to the office of Respondent No. 2, Commissioner, Co-operative Societies.

6. Learned P.O pointed out that accordingly Respondent No. 3 sent proposal on 17.2.2025 to the office of Respondent No. 2, Registrar & Commissioner, Co-operative Societies and it was decided on 20.2.2025. She placed the said documents before us. The said document is taken on record and marked as Exh. I. This decision is taken by one Mr Deepak Taware, Commissioner, Co-operation and Registrar, M.S, Pune. The reasons given for transferring her again back to Dombivli is that the cases filed by her against one Mr Ram Kulkarni are pending in the Court of JMFC, Kalyan and also Labour Court. Therefore, it would not be appropriate to post her back to Dombivli and it is further mentioned that if at all request is made by her for transfer other than Dombivli, then the same will be considered.

7. Learned counsel has submitted that the applicant wants to file representation giving option for transferring her to some other places where posts are vacant other than Dombivli, which can be considered by the Respondent-Authority. Learned counsel further submitted that she will file representation today itself, i.e., on 25.2.2025. If such a representation is filed by the applicant, the Respondents are directed to decide the same on or before 7.3.2025.

8. It is noted that the applicant did not join at Thane where she was transferred and remained absent from duty since May 2024. She is on medical leave after operation for Hysterectomy on 9.9.2024. As more than five months are over, the applicant is directed to join her duty at Thane without prejudice on 27.2.2025.

9. With the above directions, Misc Application stands disposed of.

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 25.02.2025
Dictation taken by : A.K. Nair.