

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL****NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION No.1114 of 2024 (S.B.)**

Jayashree W/o Arunrao Durge,  
Aged About 32 years, Occu: Service,  
R/o Near, Mahendr Colony, Kharrya Nagar,  
V.M.V (Amravati).

**Applicant.**

**Versus**

- 1) State of Maharashtra,  
Through Principal Secretary Home Department,  
Mantralaya Mumbai.
- 2) The Commissioner of Police,  
Amravati City, Having its office at Amravati,  
Tah. & Distt. Amravati.

**Respondents.**

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**S/Shri Alpesh Deshmukh, Tejas Deshpande, Advs for the applicant.**

**Shri S.A. Sainis, learned P.O. for respondents.**

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**Coram :- Hon'ble Shri Justice M.G. Giratkar,  
Acting Chairman.**

**Dated :- 22/04/2025.**

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**JUDGMENT**

Heard Shri S. Nagrale, learned counsel holding for Shri Alpesh Deshmukh, learned counsel for applicant and Shri S.A. Sainis, learned P.O. for respondents.

2. The applicant was appointed on 22/08/2014 as a Police Constable by the Superintendent of Police, Amravati (Gramin). The applicant is posted at Police Station, Tivsa. The applicant had

requested for inter district transfer. The Superintendent of Police vide its communication dated 18/10/2020 was pleased to forward the proposal of the applicant to non-applicant no.2, Commissioner of Police, Amravati. On 08/04/2021, non-applicant no.2 vide its order pleased to accept the request made by the applicant. Thereafter, shockingly non-applicant no.2 within a period of less than two weeks from issuing order dated 08/04/2021 was pleased to issue an order thereby cancelling the order granting approval for inter district transfer of applicant. Pursuant to the cancellation of approval granted for interim district transfer, the non-applicant no.2 had published a fresh list thereby granting approval to inter district transfer. In the list dated 11/08/2021, the name of applicant was not included hence she made a representation to the Superintendent of Police, Amravati demanding inter- district transfer. The applicant was informed that her name was inadvertently not included in the list and therefore the applicant has filed the present O.A. for direction to the respondents to accept her request for inter-district transfer.

3. The O.A. is strongly opposed by the respondents by filing reply. It is admitted by the respondents that inadvertently her request for inter-district transfer was not considered. Para-8 of the reply of respondent no.2 is reproduced below –

*“(8) It is submitted that, the name of present Applicant was not inadvertently included in the list of inter district transfer by the Answering Respondent. It is pertinent to mention here that, the request of present Applicant regarding inter district transfer proposal would be considered in the next session of transfers if there any vacancy available regarding inter district transfer in the office of Answering Respondent.*

*It is further submitted that the present Original Application is devoid of any merits, since the present Applicant has not submitted any valid reason to challenge the said impugned order. The present Applicant had further felt to demonstrate how the said orders are illegal. It further submitted that this Original Application filed by the present Applicant with intention to abuse the process of law.”*

4. During the course of submission, the learned counsel for applicant has pointed out the material portion in the reply. There is no dispute that the representation of the applicant was wrongly rejected by the Commissioner of Police, Amravati. It is admitted by respondents that in the coming general transfers, the said representation will be considered. Hence, the following order –

### **ORDER**

- (i) The O.A. is allowed.
- (ii) The impugned order passed by respondent no.2 is hereby quashed and set aside.
- (iii) The applicant is at liberty to submit fresh representation for inter-district transfer. If the fresh representation is made by

applicant before the general transfers, the respondents are directed to consider the same on its own merit.

**(iv)** No order as to costs.

**Dated** :- 22/04/2025.

**(Justice M.G. Giratkar)**  
**Acting Chairman.**

dnk.

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

Name of P.A. : D.N. Kadam

Court Name : Court of Hon'ble Acting Chairman.

Judgment signed on : 22/04/2025.