

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 1125 OF 2016**

**DISTRICT : THANE**

Shri Rajendra Murlidhar Mohite, )  
At Post Khodale, Tal-Mokhade, )  
Dist-Thane 421 103. )...**Applicant**

**Versus**

1. The State of Maharashtra )  
Through the Secretary, )  
Water Supply & Sanitation Department, )  
G.T Hospital, 7<sup>th</sup> floor, Mantralaya, )  
Mumbai. )
2. Director, )  
Underground Water Survey and )  
Development Machinery, M.S, )  
Bhujbal Bhavan, Shivaji Nagar, )  
Pune 416 416. )
3. Administrative Officer, )  
Underground Water Survey and )  
Development Machinery, M.S, )  
Bhujbal Bhavan, Shivaji Nagar, )  
Pune 416 416. )
4. Deputy Director, )  
Underground Water Survey and )  
Development Machinery )

CBD Belapur, Konkan Bhavan, )  
 Navi Mumbai. )  
 5. Raju Panditrao Randive, )  
 Asst. Driller, )  
 In the office of Dy. Engineer [Mechanic], )  
 Rural Water Supply, Z.P, Alibaug. )...**Respondents**

Shri S.S Dere, learned advocate for the Applicant.

Shri N.K Rajpurohit, learned Presenting Officer for the Respondents no 1 to 4.

Shri S. Deokar, learned advocate for Respondent no. 5.

**CORAM : Shri Justice A.H Joshi (Chairman)**

**RESERVED ON : 16.11.2017**

**PRONOUNCED ON : 24.11.2017**

### **ORDER**

1. Heard Shri S.S Dere, learned advocate for the Applicant, Shri N.K Rajpurohit, learned Presenting Officer for the Respondents no 1 to 4 and Shri S. Deokar, learned advocate for Respondent no. 5.

2. Present Original Application proceeds on following admitted facts:-

- (i) Applicant was a Government servant.
- (ii) By virtue of transfer of certain functions of the Government to Zilla Parishad, applicant's services being held in relation to those functions, where allocated to Zilla Parishad, Thane.

(iii) The day on which the orders of permanent absorption were issued, the applicant was under suspension.

3. Now the applicant's plea is that by virtue of Government decision dated 20.4.2013, since applicant is under suspension, he ought not be posted or transferred to Zilla Parishad. (Copy of Government decision dated 20.4.2013 is at Exh. H, page 27).

4. Perused the same. It relates to matters of administration of Government servants.

5. Applicant has ceased to be a Government servant. Moreover, it is not a case of posting after revocation of suspension.

6. Applicant shall stand permanently allotted to Zilla Parishad, subject to continued suspension and departmental enquiry.

7. Applicant shall be dealt with in accordance with law.

8. Applicant is however, not entitled to any relief whatsoever.

9. Interim relief stands vacated.

**(A.H Joshi, J.)**  
**Chairman**

**Place : Mumbai**  
**Date : 24.11.2017**  
**Dictation taken by : A.K. Nair.**