

[Sp1/MAT/F-5/E]

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/1142/2017  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date : 16 MAR 2017

**ORIGINAL APPLICATION NO. 486 OF 2016.**  
(Sub :- Transfer)

- 1 Shri Ramesh G. Nale,  
R/o. 34, Yashwant Vihar Society, Wadgaon Dhayri, Pune-41.  
.....**APPLICANT/S.**

**VERSUS**

1. The Superintendent of Police, Pune (R), Having Office at Chavan Nagar,  
Pashan Road, Pune-8.  
2. The State of Maharashtra, Through Principal Secretary, Home Department,  
Having Office at Mantralaya, Mumbai-32.  
...**RESPONDENT/S**

Copy to : The C.P.O. M.A.T., Mumbai.

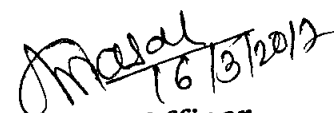
The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 14<sup>th</sup> day of **March, 2017** has made the following order:-

APPEARANCE : Shri G.A. Bandiwadekar, Advocate for the Applicant.  
Shri K.B. Bhise, P.O. for the Respondents.

CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER (J).**

DATE : **14.03.2017.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

  
**Research Officer,**  
**Maharashtra Administrative Tribunal,**  
**Mumbai.**

(5)

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram,  
Appearance, Tribunal's orders of  
directions and Registrar's orders

Tribunal's orders

O.A.486/2016

Mr. R.G. Nale

... Applicant

Vs.

The State of Mah. &amp; ors.

... Respondents

This OA is made by the Head Constable posted at Chakan Police Station calling into question the impugned order of transfer whereby he came to be posted at Narayangaon Police Station.

The interim relief was granted to the Applicant by my order dated 1.6.2016.

I have perused the record and proceedings and heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

I think, there is substance in Mr. Bhise's contention based on what is a communication from the Applicant at Exh. 'D' (Page 17 of the Paper Book (PB)) whereby he had sought one year's extension at Police Station Chakan because according to him, he had not completed the statutory period of five years. The Incharge Police Inspector recommended that extension of time to him which is clear from the same document. Whatever may have been the facts stated in the Affidavits, in my opinion, the arguments of the learned PO need to be accepted and in all fairness, Mr. Bandiwadekar has no objection, if the order of transfer currently stayed becomes operational from 1<sup>st</sup> June, 2017.

This OA, therefore, is disposed of with a direction that the impugned order of transfer shall become operational w.e.f. 1<sup>st</sup> June, 2017 and till then, the interim order in force till now shall continue. No order as to costs. Hamdast.

DATE: 14/03/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. G.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K.B. Bhise

CPO/PO for the Respondents

At To: O.A. is disposed of.

TRUE COPY

16/3/2017

Asstt. Registrar/Research Officer  
Maharashtra Administrative Tribunal  
Mumbai.

sd/-

(R.B. Malik)  
Member (J)  
14.03.2017