

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 853/2023 (S.B.)**

Sudhir S/o Pandurang Sontakke,
Aged about 53 years, Occ. Service,
R/o Dnyaneshwar Nagar, Near Malu College,
Amravati, Tah. & Dist. Amravati.

Applicant.

Versus

- 1) The State of Maharashtra,
Through it's Secretary,
Home Department,
Mantralaya, Mumbai- 400 032.
- 2) The Additional Director General of Police
and Director of Police Wireless Pashan Road,
Pune - 8.
- 3) The Director General of Police,
Maharashtra State, Shahid Bhagatsingh Marg,
Mumbai – 1.
- 4) The Commissioner of Police,
Amravati in front of Police Head Quarter,
Amravati, Pin – 444 602.

Respondents

Shri D.S.Sawarkar, Id. Advocate for the applicant.

Shri A.M.Khadatkar, Id. P.O. for the respondents.

Coram :- Hon'ble Shri M.A.Lovekar, Member (J).

JUDGMENT

Judgment is reserved on 02nd Sep., 2024.

Judgment is pronounced on 20th Sep., 2024.

Heard Shri D.S.Sawarkar, ld. counsel for the applicant and Shri A.M.Khadatkar, ld. P.O. for the Respondents.

2. The applicant is working as Assistant Sub Inspector (Radio Mechanic). By the impugned order dated 02.06.2023 (A-1) he was transferred from the establishment of Police Commissioner, Amravati City to the establishment of Police Superintendent, Washim. Grievance of the applicant is that his representation dated 05.06.2023 (A-6) was not considered whereas representations of Pooja Dhore and Pratiksha Wankhede was accepted and they were reposted at Amravati though both of them were junior to him, by order dated 30.06.2023 (A-3). Hence, this Original Application to quash and set aside the impugned order.

3. Stand of respondent no. 2 is that the applicant had served at Amravati for seventeen years, his request could not, therefore, be considered, requests of Pooja Dhore and Pratiksha Wankhede were accepted by taking into account all circumstances and hence the O.A. is liable to be rejected.

4. In his rejoinder the applicant has not disputed assertion of respondent no. 2 about his total tenure at Amravati City being seventeen years. He has stated that he had served in Naxal Area for three years and at Akola for more than six years. He has further stated that considering ailment of his mother his request ought to have been considered. According to him, cancellation of transfer orders of Pooja Dhore and Pratiksha Wankhede was malafide. There is no material on record to establish such malafides. Contention of respondent no. 2 that the applicant had served at Amravati for about seventeen years has not been traversed by him. He was transferred on administrative ground. For all these reasons no interference with the impugned order would be warranted. **The O.A. is accordingly dismissed with no order as to costs.**

Member (J)

Dated :- 20/09/2024

aps

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

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Member (J).

Judgment signed on : 20/09/2024
and pronounced on

Uploaded on : 21/09/2024