

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1937 OF 2016

[Sanjay s/o Uddhav Thakre .vs. State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.P. Kariya, counsel for the petitioner,
Shri N.R. Patil, AGP for the respondents.
.....

CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATED : MARCH 21, 2016.

By this writ petition, the petitioner impugns the order of the Maharashtra Administrative Tribunal dismissing the Original Application filed by the petitioner.

The petitioner was working as a Khansama in Public Works Department's Rest House at Pandharkawada. By the order dated 29.7.2015, the petitioner was transferred from Pandharkawada to Zari-Zamani. The petitioner challenged the said order before the Maharashtra Administrative Tribunal. By the impugned order, the Tribunal dismissed the Original Application filed by the petitioner.

On hearing the learned counsel for the parties and on a perusal of the impugned order, it appears that the Tribunal was justified in dismissing the Original Application filed by the petitioner. The Tribunal rightly held that the transfer of the petitioner was effected on 29.7.2015 and it cannot be strictly said that the transfer was a mid term transfer. The petitioner was an employee belonging to Group-D category and since the petitioner was working as a Khansama and there were several complaints in regard to the petitioner not remaining in the Rest House and not serving food to the dignitaries, it appears that the transfer was effected. The Tribunal found that when the dignitaries visited the Rest House, nobody was there and that was a

serious matter. It was found that the behaviour of the petitioner was arrogant. The allegations made against the petitioner by the respondents were found to have been substantiated by the complaints made against the petitioner. In this background, the Tribunal rightly held that there was no illegality in the order transferring the petitioner from Pandharkawada to Zari-Zamani.

Since the order appears to be just and proper, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

Gulande