

Ravindra Bhanudas Kalamkar	...Petitioner
Vs.	
Superintendent of Police, Kolhapur & Ors	...Respondents

Mr. Siddheshwar Kalel, AGP for respondent no.1.

Date : April 17, 2026.

1. Heard Mr. Naidu, learned counsel for the petitioner, Mr. Kalel, learned counsel for respondent No.1–State, and Mr. Ganbavale, learned counsel for respondent No.2.

2. At the outset, Mr. Naidu, learned counsel for the petitioner, invited our attention to the reliefs sought in Original Application No.1366 of 2025 and the impugned order passed by the Maharashtra Administrative Tribunal, Mumbai (for short, “MAT”) in the said application. He submits

that the relief granted by the Tribunal is completely beyond the scope of the Original Application. He further submits that the Original Application essentially challenges the transfer order dated 26th November 2025, whereas the directions issued by the Tribunal travel far beyond the scope of the inquiry contemplated in Original Application No.1366 of 2025.

3. Per contra, Mr. Kalel, learned AGP for respondent No.1–State, and Mr. Ganbavale, learned counsel for respondent No.2, supported the impugned order. They submit that the learned Member of MAT, Mumbai has passed the order strictly in accordance with law.

4. In rejoinder, Mr. Naidu, learned counsel for the petitioner, submits that in view of the contentions raised, and without prejudice to the rights and contentions of the parties, the impugned order deserves to be quashed and set aside and the matter be remanded back to the MAT, Mumbai for fresh consideration.

5. In order to appreciate the rival submissions, it is necessary to reproduce the relevant relief sought in Original Application No.1366 of 2025. Prayer clause (b) reads thus:

“B. This Hon'ble Court may kindly be pleased to hold and declare that the impugned transfer order dated 27.11.2025 issued by respondent No. 1 transferring applicant from from Local Crime Branch Kolhapur to Rajarampuri Police Station, so also transferring respondent No. 2 in the post held by present applicant as illegal and against the provision of law. Further the impugned order may kindly be quashed and set aside by holding it as illegal order.”

6. It is also relevant to note the operative part of the final order dated 1st April 2026 passed by Learned Member–A, MAT, Mumbai in Original Application No.1366 of 2025, which reads thus:

- “i. The O.A.No. 1366/2025 is 'Partly Allowed'.*
- ii. The 'SP Kolhapur' directed to maintain 'Status Quo' to prepare panel of atleast '5 Officers' who are 'Police Inspectors' including both Applicant and Respondent No.2 as per conspectus of observations and directions recorded above and thereupon seek its approval from 'Special IGP, Kolhapur Range Kolhapur' within Two Weeks'.*
- iii. The 'SP Kolhapur' based on panel of atleast '5 Officers' who are 'Police Inspectors' selected by 'Special IGP, Kolhapur Range Kolhapur' must proceed thereafter to complete fair exercise upon holding meeting of 'PEB' to select afresh the most eligible-cum-suitable Police Inspector' who can deservedly occupy the important post of 'Police Inspector' of 'Local Crime Branch, District Kolhapur'.*
- iv. The 'SP Kolhapur' to complete the entire exercise based on stringent observance of 'Administrative Instructions' in Office Circular dated 02.08.2024 issued by Director General of Police Maharashtra State' to make new appointment to important post of 'Police Inspector' of 'Local Crime Branch, District Kolhapur' invariably within 'Four Weeks'.*
- v. No Order as to Costs.”*

7. Thus there is substance in the contention raised by Mr. Naidu, learned counsel appearing for the petitioner that the relief granted in original application is outside the scope of the relief sought in original application.

8. In view of the submissions advanced on behalf of the petitioner, Mr. Ganbavale, learned counsel for respondent No.2, on instructions, submits that without prejudice to the rights and contentions of Respondent No.2, and keeping all contentions expressly open, the impugned order may be

quashed and set aside and the Original Application No.1366 of 2025 be remanded to the learned MAT, Mumbai for fresh adjudication.

9. Accordingly, the Writ Petition is disposed of with the following directions:

ORDER

(i) The order dated 1st April 2026 passed by learned Member–A, Maharashtra Administrative Tribunal, Mumbai in Original Application No.1366 of 2025 is hereby quashed and set aside, and the said Original Application No.1366 of 2025 is restored to the file of the Maharashtra Administrative Tribunal, Mumbai. The parties shall appear before the learned Tribunal on 27th April 2026.

(ii) The Maharashtra Administrative Tribunal, Mumbai is requested to decide Original Application No.1366 of 2025 afresh, in accordance with law expeditiously and preferably on or before 31st August 2026.

10. It is clarified that the impugned order is quashed and set aside on very limited ground as set out hereinabove. Accordingly, the contentions of both the parties are expressly kept open.

[Pravin S. Patil, J.]

[Madhav J. Jamdar, J.]