

O.A. 193/2017 (SB)

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

Shri G.G. Bade, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

The learned P.O. has already filed reply of R-2&3. Copy is served on the applicant. The learned counsel for the applicant wants to go through the same for that purpose he seeks time. At his request, **S.O. two weeks**.

Vice Chairman (J)

dnk.

O.A. 591/2015 (SB)

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

Shri A.N. Dighore, Id .counsel for
the applicant and Shri A.M. Ghogre, Id.
P.O. for the respondents.

At the request of learned counsel
for the applicant ,**S.O. one week.**

Vice Chairman (J)

dnk.

O.A. 83/2018 (DB)

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

C.A. 25/2018 -

Heard Shri S. Deshpande, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the State.

2. The learned counsel for the applicants submits that he may be allowed to delete the names of applicant nos. 2 and 3 with permission to file separate O.A. as regards their claim. The applicant is allowed to do so. He further submits that the application for sue jointly may be allowed to withdraw. Permission is granted to withdraw the application for sue jointly as prayed for. In view thereof, the C.A. stands disposed of as withdrawn. The applicant however will be entitled to refund of court fee.

O.A. 83/2018 -

Heard Shri S. Deshpande, Id. counsel for the applicant and Shri S.A. Deo, Id. CPO for the State.

2. At the request of learned counsel for the applicant, issue fresh notice to R-2 to 9, returnable in **four weeks**. Learned C.P.O. waives notice for R-1. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. 48/2017 (DB)

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

Shri S.R. Deshpande, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

The learned P.O. files reply-affidavit on behalf of R-4. It is taken on record. Copy is served on the applicant.

Put up the matter before regular D.B. as and when available.

Vice Chairman (J)

dnk.

O.A. 800/2017 (DB)

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

None for the applicant. Shri A.P.
Potnis, Id. P.O. for R-1&2. None for R-3.

At the request of learned P.O.,
S.O. two weeks for filing reply.

Vice Chairman (J)

dnk.

C.P. 05/18 in O.A. 76/2017 **(DB)**

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

Ms. A. Lanjewar, Id. counsel for
the applicant and Shri M.I. Khan, Id. P.O.
for the respondents.

At the request of learned P.O.,
S.O. four weeks.

Vice Chairman (J)

dnk.

C.P. 18/18 in O.A. 524/2013 (DB)

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

Heard Shri S.U. Bhuyar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State.

2. Issue notice to R-1 to 4, returnable in **four weeks**. Learned P.O. waives notice for R-5. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as

limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. **S.O. four weeks.**

Vice Chairman (J)

dnk.

O.A. 25/2018 (DB)

**Coram : Hon. Shri J.D.Kulkarni,
Vice-Chairman (J).**

Dated : 08.03.2018

Shri N.R. Saboo, Id. counsel for the applicant, Shri H.K. Pande, Id. P.O. for R-1 to 3 and Ms. S. Waghmare, Id. counsel for R-4&5.

At the request of learned P.O. as well as Id. counsel for R-4&5, **S.O. four weeks** for filing reply.

Vice Chairman (J)

dnk.

O.A. No.729/2014. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

MCA No. 05/2018.

Heard Shri Bharat Kulkarni, the Ld. counsel for the original applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents in the MCA.

The order was to comply within three months. Two days prior to the said period, application for extension is filed. Considering the difficulties mentioned in the application and in the interest of justice, time for compliance of the order passed by this Tribunal is extended upto 15.5.2018. MCA stands disposed of accordingly.

Vice-
Chairman(J)

O.A. No.571/2017. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

C.A. No. 03/2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondents 1 and 2. Mrs. P.P. Chobe, Ld. Adv. for R.3.

2. According to the Ld. CPO, as per G.R. dated 7.3.2017 (A-4), the Commissioner and Director of Municipal Administration, Mumbai is the appointing authority of the applicant. However, as per G.R. dated 19.3.2016 (copy of which is placed on record and marked "X" for identification) , the Collector hs been declared as Head of the Office and has been assigned with powers to initiate departmental enquiry against the employee like the applicant. Clauses 6 of the said G.R. at Exh.X, however, shows that the Collector has been empowered to propose the departmental enquiry. It is a matter of

interpretation as to whether the Collector has been assigned the power to suspend the employee like the applicant and

the question of suspension will be decided in this case on merits and for that purpose, reply of respondent No.1 is necessary.

3. The Ld. counsel for the applicant submits that the Collector has served the chargesheet upon the applicant and the departmental enquiry is being conducted without authority and, therefore, he has prayed that the proceedings of the departmental enquiry initiated by the Collector as per Memorandum dated 29.11.2017 shall be stayed. In view of substantive question of law involved in the matter, the C.A.No. 03/2018 for staying of enquiry is allowed.

4. The Collector, Washim (R.2) is directed not to initiate the departmental enquiry against the applicant till filing of reply by respondent No.1 in this matter. The Ld. CPO seeks four weeks' time to file reply affidavit. C.A. stands disposed of accordingly.

S.O. **four weeks.**

Vice-Chairman(J)

pdg

O.A. No.249/2017. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

C.A. No. 13/2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents.

The Ld. P.O. has filed don record reply of R.4 to the C.A. for condonation of delay, it is taken on record.

The Ld. counsel for the applicant submits that he will take instructions from the applicant regarding withdrawal of the O.A. and seeks four weeks' time.

S.O. 5th April 2018.

Vice-
Chairman(J)

pdg

O.A. No.96/2018. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)

Dated : 8th March 2018.

C.A. No. 29/2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicants and Shri V.A. Kulkarni, the Ld. P.O. for the respondent.No.1.

Await service to R.2.

For the reasons stated in the application, C.A. is allowed and disposed of.

O.A. No.96/2018.

At the request of Ld. P.O., S.O. three weeks for filing reply affidavit.

Chairman(J) Vice-

pdg

O.A. Nos.981 & 982 of 2017. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicants and Shri S.A. Deo, the Ld. C.P.O. for the respondents 1 to 3 and 6. None for R. 4 and 5.

The Ld. counsel for the applicants submits that the respondents have been served and he will file service affidavit during the

course of the day. Ld. CPO seeks time to file reply.

At the request of the Ld. counsel for the applicant, S.O. 5th April 2018.

Vice-
Chairman(J)

pdg

O.A. No.92/2018. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

Heard Shri N.R. Saboo, the Ld. counsel for the applicant and Shri S.A. Deo, the Ld. C.P.O. for the respondent No.1.

Await service to R.2.

The Ld. counsel for the applicant submits that he will file service affidavit and seeks one week's time.

S.O. **one week.**

Vice-
Chairman(J)

pdg

O.A. No.98/2018. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

Heard Shri J.R. Kidilay, the Ld. counsel for the applicants and Shri P.N. Warjekar, the Ld. P.O. for the respondent Nos. 1 and 4. Shri P.R. Puri, Adv. for R. 2 and 3.

The Ld. counsel for the applicant submits that the respondents have been served and he will file service affidavit during the course of the day.

Adv. for R. 2 and 3 submits that he has filed Vakalatnama on behalf of R. 2 and 3 and seeks time to file reply.

Ld. P.O. seeks time to file reply of R. 1 and 4.

S.O. **three weeks.**

Vice-
Chairman(J)

pdg

O.A. No.771/2016. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3. Shri B.N. Jaipurkar, Adv. for R. 4 and 5.

At the request of the Ld. counsel for the applicant, S.O. **5th April, 2018**

Vice-
Chairman(J)

pdg

O.A. No.771/2016.

(S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicants and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3. Shri B.N. Jaipurkar, Adv. for R. 4 and 5.

The Ld. P.O. submits that the orders passed by this Tribunal granting grade pay to the applicant have been challenged before the Hon'ble High Court of Judicature at Bombay and the same is likely to be heard in near future.

The Ld. counsel for the applicant strongly objected for this statement and submits that, though the matter is pending for more than 1½ years, no steps have been taken by the State to get it listed. It is, therefore, made clear that in case no stay order is received from the Hon'ble High Court in the matter, matter will be taken up for hearing.

Since the reply is filed, matter is admitted and kept for final hearing on 5.4.2018 as per request of the Ld. counsel for the applicants.

Shri A.M. Ghogre, the Ld. P.O. waives notice for the respondents 1 to 3.

Vice-
Chairman(J)

pdg

O.A. No.477/2016. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3 and 6. Shri B.N. Jaipurkar, Adv. for R. 4 and 5.

Ld. P.O. has filed reply on behalf of R. 3 and 6 separately and also submission of R.4 and 5, it is taken on record. Copies are supplied to other side.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O. waives notice for the respondents 1 to 3 and 6.

S.O. **5th April, 2018** for final hearing.

Vice-
Chairman(J)

pdg

O.A. No.478/2016. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)
Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3 and 6. None for R. 4 and 5.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O. waives notice for the respondents 1 to 3 and 6.

S.O. **5th April, 2018** for filing reply of R. 3 and 4 and 5.

Vice-
Chairman(J)

pdg

O.A. No.479/2016. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3 and 6. None for R. 4 and 5.

Ld. P.O. files reply of R.3 and 6, it is taken on record and a copy of which is supplied to the other side.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O.
waives notice for the respondents 1 to 3 and
6.

S.O. **5th April, 2018.**

Vice-
Chairman(J)

pdg

O.A. No.633/2017. (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld.
counsel for the applicant and Shri A.M.
Ghogre, the Ld. P.O. for the respondents 1
to 3 and 6. None for R. 4 and 5.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O.
waives notice for the respondents 1 to 3 and
6.

S.O. **5th April, 2018** for filing reply of
R.3, 4 and 5

Vice-
Chairman(J)

pdg

O.A. No.763/2017. (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld.
counsel for the applicant and Shri A.M.

Ghogre, the Ld. P.O. for the respondents 1 to 3 and 6. None for R. 4 and 5.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O. waives notice for the respondents 1 to 3 and 6.

S.O. **5th April, 2018** for filing reply of R.3, 4 and 5

Vice-
Chairman(J)

pdg

O.A. No.764/2017. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3 and 6. None for R. 4 and 5.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O. waives notice for the respondents 1 to 3 and 6.

S.O. **5th April, 2018** for filing reply of R.3, 4 and 5.

Vice-
Chairman(J)

pdg

O.A. No.765/2017. (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3 and 6. None for R. 4 and 5.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O. waives notice for the respondents 1 to 3 and 6.

S.O. **5th April, 2018** for filing reply of R.3, 4 and 5

Vice-
Chairman(J)

pdg

O.A. No.862/2017. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri A.M. Ghogre, the Ld. P.O. for the respondents 1 to 3 and 6. None for R. 4 and 5.

Ld. P.O. files reply of R.6, it is taken on record and a copy of which is supplied to other side.

ADMIT.

Shri A.M. Ghogre, the Ld. P.O. waives notice for the respondents 1 to 3 and 6.

S.O. **5th April, 2018** for filing reply of R.3, 4 and 5

Vice-
Chairman(J)

pdg

O.A. No.193/2017. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

None for the applicant. Shri M.I. Khan,
the Ld. P.O. for the respondents..

S.O. **two weeks.**

Vice-
Chairman(J)

pdg

O.A. No.713/2017. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

Heard Shri A.R.Ingole, the Ld. counsel for the applicant and Shri P.N. Warjekar, the Ld. P.O. for the respondents..

The Ld. counsel for the applicant submits that he wants to withdraw the O.A., since the jurisdiction lies with the Hon'ble High Court and, therefore, seeks permission for the same. In view thereof, applicant is allowed to withdraw the O.A. Hence, the O.A. is disposed of as withdrawn with no order as to costs.

Vice-
Chairman(J)

pdg

O.A. No.898/2017. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

Heard Shri R.A. Haque, the Ld. counsel for the applicant and Shri S.A. Sainis, the Ld. P.O. for the respondents..

S.O. **two weeks** as a last chance.

Chairman(J) Vice-

pdg

O.A. No.939/2017. (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

None for the applicants. Shri S.A. Sainis, the Ld. P.O. for the respondents..

At the request of the Ld. P.O., S.O. **two weeks.**

Vice-
Chairman(J)

pdg

O.A. No.18/2018. (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri S.P. Palshikar, the Ld. counsel for the applicant and Shri V.A. Kulkarni, the Ld. P.O. for the respondents.

The Ld. P.O. submits that reply of respondents is ready and he will file it during the course of the day.

At the request of the Ld. counsel for the applicant, S.O. **8th March 2018.**

Vice-
Chairman(J)

pdg

O.A. No.101/2018. (S.B.)

Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri Bharat Kulkarni, the Ld. counsel for the applicant and Shri M.I. Khan, the Ld. P.O. for the respondents..

At the request of the Ld. P.O., S.O.
four weeks.

Vice-
Chairman(J)

pdg

O.A. No.591/2015. (S.B.)

**Coram: Shri J.D. Kulkarni,
Vice-Chairman(J)**

Dated : 8th March 2018.

None for the applicant. Shri A.M.
Ghogre, the Ld. P.O. for the respondents..

S.O. **one week.**

Chairman(J) Vice-

pdg

**O.A. No. 772, 773 of 2016 and 23 and 24 of
2017 and 476/2017. (S.B.)**

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

Heard Shri J.S. Deshmukh, the Ld. counsel for the applicant and Shri S.A. Sainis, the Ld. P.O. for the respondents 1 to 3 and 6. Shri B.N. Jaipurkar, Adv. for R. 4 and 5 in O.A. Nos. 772 and 773 of 2016. None for R. 4 and 5 in O.A. No. 23 of 2017 and Shri A.P. Tathod, Adv. for R. 4 and 5 in O.A. Nos. 24 and 476 of 2017.

Ld. P.O. has filed reply in O.A.No.476/2017 on behalf of the respondent No.3. It is taken on record and a copy thereof is supplied to the other side.

At the request of the Ld. counsel for the applicant, S.O. **5th April, 2018.**

Vice-
Chairman(J)

pdg

O.A. No. 647/2017. (S.B.)

Coram: Shri J.D. Kulkarni,

Vice-Chairman(J)

Dated : 8th March 2018.

Oral order

Heard Shri M.M. Sudame, the Ld. counsel for the applicant and Shri,A.M. Ghogre, the Ld. P.O. for the respondents.

2. The applicant is Livestock Supervisor and is working at Gadchiroli since 2000. Vide impugned order dated 31.5.2017, the applicant has been transferred to Wadsa, Distt. Gadchiroli on administrative ground. According to the learned counsel for the applicant, the applicant has filed representation prior to her transfer on 18.5.2017 and submitted that her both sons are studying at Nagpur. In the interest of their education, she may be transferred at the place of her choice. She has also stated that she has completed 17 years' service in Gadchiroli district. She has given choice of her posting either at Veterinary Dispensary, Nagpur or at the office of Dy. Commissioner of Animal Husbandry, Gadchiroli as per choice posting (P.46) of the O.A.

3. The Ld. counsel for the applicant submits that the applicant is serving in naxalite affected area since last 17 years and as per the G.R. dated 6.8.2002, she is entitled for choice posting.

4. The applicant has, therefore, prayed that the impugned order of her transfer be quashed and set aside and the applicant be posted at her choice posting i.e. at Nagpur as per her representation dated 2.6.2017.

5. The State has filed reply affidavit on behalf of R. 2 and 3. The respondents justified the transfer order of the applicant mainly on two grounds:- (i) the applicant is a resident of Gadchiroli and, therefore, the G.R. dated 6.8.2002 is not applicable to her and (ii) the applicant herself has opted posting at Gadchiroli at Sr. No.2 and her choice has been considered and, therefore, the applicant has no cause of action.

6. The Ld. P.O. has invited my attention to the G.R. dated 11.7.2000 (Annexure R-3) and particularly clause of the said G.R. shows that the benefits granted to the employees working in naxalite affected areas shall not be granted to the employees who are residents of these areas. Clause 3 of the said G.R. is reproduced below and the same is self explanatory:-

“आदिवासी विकास विभाग व
आदिवासी विकास महामंडळातील
अधिकारी / कर्मचाऱ्यांच्या सेवा
आदिवासी क्षेत्राकरीताच असल्यामुळे
त्यांनी तसेच स्थानिक रहिवासी
असलेल्या इतर विभागातील

कर्मचारी यांना वरील सवलतीचा
लाभ मिळणार नाही.”

7. As per the said G.R., the applicant being a resident of Gaechiroli, may not be entitled to claim such benefits. The learned P.O. has also placed on record the documents at Annexure R-1 which is an entry of service book of the applicant which shows that the applicant is the resident of Gadchiroli district.

8. The learned counsel for the applicant submits that, though the applicant was born in Gadchiroli district, she has been educated out of Gadchiroli i.e. in Chandrapur district and also at Akola and she is intended to settle at Bramhapuri in Chandrapur district. The learned counsel for the applicant submits that the applicant's both sons are taking education at Nagpur and, therefore, she has prayed that she may be transferred to Nagpur.

9. Considering the merits of the claim and various documents placed on record, it is clear that very basis fo application that the applicant is entitled to concession as per the G.R. dated 6.8.2002, cannot be accepted. Even otherwise, the respondents have transferred the applicant at one of her choice place in Gadchiroli district and, therefore, the impugned order of transfer cannot be said to be illegal.

10. So far as the applicant's claim for transfer at Nagpur, it is stated that the applicant has now decided to reside at Bramhapuri and that since her children are taking education at Nagpur, she may be transferred to Nagpur. The same can be considered on its own merits, if the applicant files separate representation giving all details to that effect and making a request for transfer at Nagpur. The learned counsel for the applicant submits that the applicant will file such representation within a week and the competent authority may be directed to consider it as early as possible and in any case at the time of Annual General Transfers of 2018. In view of this submission, I do not find any difficulty in allowing the applicant to file such a representation. In view thereof, I pass the following order:-

ORDER

- (i) The O.A. No.647/2017 is dismissed with no order as to costs.
- (ii) The applicant will, however, be at liberty to file separate representation for her transfer at the place of her choice i.e. at Nagpur on various grounds as may be considered proper by her. However, if the said representation is filed, the respondent authorities shall

consider it on its own merits at the time of Annual General Transfers of 2018.

- (iii) No order as to costs.
- (iv) *Status quo* order to continue till Annual General Transfers of 2018.

Chairman(J) Vice-

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