

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION No. 560 of 2026 (S.B.)**

Shri Kailas S/o Gunwant Bhumber,
Aged about 39 years, Occu.: Service, R/o. House No.16,
Keshvam Vihar, Behind Telai Celebration Hall, Amravati.

Applicant.

Versus

- 1) The State of Maharashtra,
through its Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai-32.
- 2) The Principal Chief Conservator of Forest,
(Vanbal Pramukh), Maharashtra State,
Nagpur.
- 3) The Chief Conservator of Forest (Territorial),
Amravati.

Respondents.

Shri G.G. Bade, Advocate for the applicant.

Shri S.A. Sainis, learned P.O. for respondents.

**Coram :- Hon'ble Shri Justice Vinay Joshi,
Vice Chairman.**

Dated :- 18/08/2026.

J U D G M E N T

1. Heard finally with the consent of learned counsel appearing for the parties.
2. The applicant is aggrieved by the order dated 13/05/2026, whereby, his transfer was stayed and by subsequent order dated 21/05/2026 modifying the earlier order of transfer.

3. Facts in brief are that the applicant was appointed to the post of Forester on 01/07/2006 and then was promoted to the post of Range Forest Officer (RFO). The applicant was posted at Daryapur on 01/06/2022. The applicant was due for transfer in the annual transfers of the year 2025-2026. In general transfer orders, he was transferred from Daryapur to Paratwada, Range Forest Office, District Amravati. The applicant was relieved on the very day and claims to have joined in the territorial headquarters at Amravati on the very day. However, the applicant's transfer at Paratwada has been stayed on the following day on 14/10/2026 for administrative reasons. It was followed by issuance of impugned modified posting at Patur, (Territorial), District Akola.

4. The applicant has challenged the order of transfer on the ground that his wife was serving at nearby place to Paratwada. Under the Couple Unification Scheme, he was transferred at Paratwada. Though he has joined at Paratwada, the order has been cancelled and modified without reason. The applicant claims to be modification arbitrary, illegal and unsustainable.

5. The respondent resisted this application by contending that, from the initial appointment of the year 2006, the applicant is continuously for next 20 years at Amravati region. It was noticed by the department hence, the first order of transfer dated 13/05/2026 was

immediately stayed. The applicant has already given 10 options in transfer process. The applicant gave 3rd option of Akola region and considering the same, he has been posted at Patur (Akola Division) which cannot be faulted.

6. The aforesaid facts are mostly not in dispute. The applicant was due for transfer in the annual general transfers and accordingly he was initially transferred at Paratwada. It is not disputed that for last 20 years, applicant is at Amravati region. Notably, on the very day or following day, the transfer order was stayed. The department took into consideration, the applicant's past service in the same region, therefore, for administrative reasons, he has been transferred in the Akola division. Option form indicates that applicant gave Akola region as his option no.3. Since it was not a new transfer, but modified posting in general transfer, it cannot be faulted unless malafides are shown.

7. The applicant's learned counsel relied on the decision of this Tribunal in O.A.No.959/2025 in case of **Pravin S/o Haridas Lokhande Vs. State of Maharashtra & Ors.**, decided on 17/01/2026. In said case, on factual score, the Tribunal formed an opinion that the transfer order was actuated with malafides. In case at hand, there is no material to infer about malafides. The applicant's learned counsel also relied on the decision of the Hon'ble Bombay High Court in Writ

Petition No. 11520/2025 in case of ***Shrikant Ramdas Karkale Vs. State of Maharashtra & Ors.***, decided on 25/09/2025. In said case, it has been ruled that though the Minister in-charge has power to override the decision of Civil Services Board, however, it shall be backed by the reasons to be recorded in writing. This is a case pertaining to general transfer, therefore, the issue of recording special reasons does not arise. It is settled law that the employee has no right to seek transfer at particular place. The procedure was followed while effecting the transfer. Since the order was stayed on the very day, it lacks malafides. Having regard to the applicant's past continuous service in the same region, modified posting was given, which cannot be stated to be arbitrary or unsustainable. **In view of that, application carries no merit, hence dismissed.**

Dated :- 18/08/2026.

**(Justice Vinay Joshi)
Vice Chairman.**

dnk.

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

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 18/08/2026.