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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12371 OF 2025

Nagorao Shivajirao Chavan

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....
Mr. V. H. Dighe, Advocate for the Petitioner
Mr. D. R. Korde, AGP for Respondent - State
Ms. Preeti R. Wankhede, Advocate for Respondent No.2
.....

[CORAM : NITIN B. SURYAWANSHI, &
ABASAHEB D. SHINDE, J. J.]

DATE : 22nd JUNE, 2026

ORDER :

1. The Petitioner challenges order dated 8th September, 2025 passed in Original Application No. 584 of 2025 thereby rejecting the Original Application filed by the Petitioner, challenging his mid term transfer order.

2. On 15th October, 2024, the Petitioner came to be transferred from the post of Additional Civil Surgeon, Civil Hospital, Beed to the post of District Civil Surgeon, Ahilyanagar. The Petitioner took over the charge at Ahilyanagar on 17th October, 2024. Before the Petitioner completed his normal tenure at Ahilyanagar, the Petitioner was again transferred from

Ahilyanagar to the post of Additional Civil Surgeon, Civil Hospital, Udgir, District – Latur, by order dated 6th June, 2025.

3. Being aggrieved by the mid term transfer, the Petitioner preferred Original Application No. 584 of 2025 before the Maharashtra Administrative Tribunal ("the Tribunal" for short). By the impugned order dated 8th September, 2025, the Tribunal was pleased to dismiss the Original Application. Hence, the present Writ Petition.

4. Learned Advocate for the Petitioner strenuously submitted that, the transfer of the Petitioner is a mid term transfer and the same is in violation of sections 3, 4 (4) (ii) and 4 (4) (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. The impugned order is passed without recording reasons for mid term and mid tenure transfer. He assailed the order passed by the Tribunal and submitted that the Tribunal has failed to appreciate the contentions of the Petitioner in the proper perspective. In support of the Petition, he placed reliance on the decision of the Co-ordinate Bench of this Court in Writ Petition No. 5835 of 2011 (*"Purushottam Govindrao Bhagwat V/s The State of Maharashtra"*).

5. Learned AGP and learned Advocate for Respondent No.2, on the other hand, supported the impugned order.

6. Heard learned Advocate for the Petitioner, learned AGP for the State and learned Advocate for Respondent No.2 at length. Perused the record.

7. The Petitioner has challenged the transfer order on the ground that no special reasons are recorded for mid term transfer of the Petitioner.

8. Perusal of the minutes of the CSB, prepared at the time of issuing the transfer order, reveals that after the transfer of the Petitioner at Ahilyanagar, the Petitioner sought extension of age of retirement from 58 to 60. For the said relief, he approached the Tribunal by filing Original Application No. 140 of 2025. By order dated 17th March, 2025, interim relief was granted by the Tribunal in favour of the Petitioner and he was directed to be continued on the said post. He was to retire on 31st March, 2025, on attaining the age of 58 years. Now, the Petitioner is due to retire on 31st March, 2027.

9. We have perused the minutes of the CSB meeting, which are placed on record by the Petitioner. In the said minutes, the competent transferring authority has recorded reasons i.e.

essential nature of health services and need of serving the patients, so also to effectively implement the schemes relating to health, at district and taluka levels. There is urgent need to fill up vacant posts.

10. Learned Advocate for the Petitioner strenuously urged that special reasons are required to be recorded for effecting mid term transfer. According to him, these cannot be termed as special reasons. We do not agree. We are of the view that the above reasons recorded in the minutes of the CSB are special reasons which necessitated the mid term transfer of the Petitioner. We, therefore, find no merit in the submission of the Petitioner that there is violation of sections 3 and 4 of the Transfers Act, while effecting the mid term transfer of the Petitioner.

11. The Petitioner has relied on the decision of the Co-ordinate bench of this Court in Writ Petition No. 5835 of 2011. In that case, the Petitioner was transferred on administrative grounds, by way of mid term transfer. Perusal of the said decision shows that the transfer order was effected on administrative grounds and no other ground and / or reasons were mentioned in the same. However, in the case in hand, since reasons are recorded in the transfer order and minutes of CSB that there is need to fill

up vacant posts keeping in mind health services at district and taluka levels, we are of the opinion that there is compliance of section 4 (5) of the Transfers Act.

12. The Tribunal has assigned cogent reasons while dismissing the Original Application. There is no illegality or perversity in the order passed by the Tribunal and the Tribunal has not committed any legal or jurisdictional error while passing the impugned order. We find no merit in the Petition. Hence, the Petition is dismissed.

[ABASAHEB D. SHINDE]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE