

UNREPORTED

IN THE HIGH COURT OF JUDICATURE AT

BOMBAY

BENCH AT AURANGABAD.

WRIT PETITION NO.7621 OF 2015

Smt. Sharada D/o Bhausahab Shejul,
Age 28 years, Occ.Service
(Primary Teacher), R/o
Kambode Palghar, Tq. Parghar,
Dist.Thane. ... Petitioner.

Versus

1. The State of Maharashtra,
through its Chief Secretary,
General Administrative
Department, Mantralaya,
Mumbai-32.

2. The Chief Secretary,
Rural Development &
Water Conservation
Department, Mantralaya, Mumbai-32.

3. The Chief Executive Officer,
Zilla Parishad, Ahmednagar,
Tq. and Dist.Ahmednagar.

4. The Education Officer
(Primary), Zilla Parishad,
Ahmednagar. ... Respondents.

...

Mr.N.B.Narwade, advocate for the petitioner
Mr.P.P.More, Asstt. Govt. Pleader for the State.

Mr.S.T.Shelke, advocate for Respondent No.2.

...

**CORAM : S.V.GANGAPURWALA &
V.K.JADHAV, JJ.**

Date : 27.07.2015.

ORAL JUDGMENT (Per S.V.Gangapurwala, J.)

1. Heard.

2. Rule. Rule made returnable forthwith.
With the consent of the parties, the petition is taken up for final hearing.

3. Mr. Narwade, the learned counsel for the petitioner states that the petitioner is working in tribal area for more than five years. Time and again the petitioner has given representation to the respondent authorities to consider his request for transfer to the non tribal area. However, the said request is not considered. Learned counsel submits that even Government Resolution dated 15.5.2014 does not lay down any criteria for transfer of the persons working in Tribal area. Learned counsel

submits that as per the Government Resolution of the year 2002, the petitioner is required to be transferred.

4. Mr. Shelke, the learned counsel states that the Government Resolution of the year 2002 is not applicable to the Zilla Parishad. In case, the petitioner has completed five years of service in one District and he is seeking inter district transfer, then the Government Resolution dated 15.5.2014 would be applicable. The authority would take decision on representation on their own merits.

5. Considering the fact that the representation is pending with the respondent, we pass the following order:-

O R D E R

I. The respondent No.3 shall take decision on the representation given

by the petitioner (Exhibit F) expeditiously, in accordance with law and its policy, preferably within two months.

II. It is made clear that as the representation is pending with the authorities, we have not considered the other submissions of the parties.

III. Writ petition accordingly stands disposed of. No costs.

Sd/-
(V.K. JADHAV, J.)

Sd/-
(S.V. GANGAPURWALA, J.)

