

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7982 OF 2014

ASHABAI SHIVDAS GUNJAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Narwade Narayan B.
AGP for Respondents 1 and 2: Mrs. S.A. Dhumal
Advocate for Respondent No.3 : Mr. S.T. Shelke

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

DATED : 2nd JULY, 2015

P.C. :-

1. Mr. Narwade, the learned counsel for the petitioners states that the petitioners are working in tribal area for more than five years. Time and again they have given representations to the respondent authorities to consider their 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 petitioners are required to be transferred.

2. Mr. Shelke, the learned counsel states that the Government

Resolution of the year 2002 is not applicable to the Zilla Parishad. In case, the petitioners have completed five years of service in one District and they are seeking inter district transfer, then the Government Resolution dated 15.5.2014 would be applicable. The authority would take decision on representations on their own merits.

3. 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 petitioners Exhibit F and G, expeditiously, in accordance with law and its policy, preferably within two months.
- II. It is made clear that as the representations are pending with the authorities, we have not considered the other submissions of the parties.
- III. Writ petition accordingly stands disposed of. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)