

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9530 OF 2014

VINOD MAHADEO KALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Gaikwad Pankaj R.
AGP for Respondent/State : Mr. V.H. Dighe

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CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: April 06, 2015

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PER COURT :-

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader for the Respondent – State. In spite of notices issued to the Respondents on 29th October, 2014, none appeared for Respondent No.3 - Chief Executive Officer, Zilla Parishad, Beed. Thereafter the matter was adjourned from time to time and on 2nd February, 2015 this Court (Coram : S.V. GANGAPURWALA & V.L. ACHLIYA, JJ) has passed the following order :-

“1. Though Respondent Nos. 3 and 4 are served, none appears for Respondent Nos. 3 and 4. Mr. Kulkarni, learned counsel submits that he would not press for any relief against Respondent No.4.

2. Re-issue notice to Respondent No.3, returnable on 9.3.2015.

3. Hamdast allowed.”

2. In spite of service on 2nd time on Respondent No.3, none appears for Respondent No.3.

3. By way of filing this Petition, the petitioner has prayed direction to Respondent No.3 to consider the proposal of the petitioner for transferring his services from Zilla Parishad, Satara to Zilla Parishad, Beed and passing appropriate orders on it. It is the contention of the learned counsel appearing for the petitioner that, Zilla Parishad, Satara has recommended the transfer of the petitioner favourably. He invited our attention to Exhibit ‘C’ at page Nos. 15 and 16 of the compilation of Writ Petition and submits that, the Petition deserves to be allowed.

4. We have heard the learned counsel appearing for the petitioner and the learned Additional

Government Pleader for the Respondent/State. As already observed, none appears for Respondent No.3 inspite of service of notice. Therefore, the pleadings/grounds taken in the Petition remain uncontraverted on behalf of Respondent no.3.

5. The petitioner has quoted some instances in the Petition that, though the other similarly situated employees have applied belatedly in the year 2013 and 2014, they are transferred, however, though the petitioner's proposal is dated 16.04.2012 (Exhibit 'C') has not been considered yet.

6. In the circumstances, we direct Respondent No.3 to take decision on the proposal of the petitioner dated 16th April, 2012, as expeditiously as possible, however, in any case, on or before 5th May, 2015 and communicate the Registry accordingly. The Petition stands disposed of on above terms.

(**P.R. BORA, J.**)

(**S.S. SHINDE, J.**)

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SGA/-