

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

933 PUBLIC INTEREST LITIGATION NO.155 OF 2014

CHATRA SHIKSHAK KRUTI SANSTHA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Shinde Ram S.
Mrs.MA Deshpande,AGP for Respondents: 1 to 5;
Mr. Nikam Anup R., Adv. For R/6

CORAM : **R.M.BORDE &**
P.R.BORA,JJ.

DATE : **12th JUNE, 2015.**

PER COURT :

1) Heard. In this Public Interest Litigation, the petitioner is praying to initiate an action including initiation of criminal prosecution against Respondent Nos. 2 to 6 and other subordinate officials for violating the directions issued by the Chief Secretary of the State of Maharashtra relating to transfer of employees in the State.

2) This Court, while issuing notices, granted liberty to the respondents to find out such of those officers, who are the beneficiaries of the disobedience of the directions of this Court and the Court has further permitted the respondent/State to initiate action against such of those officers, if deem necessary.

3) An affidavit in reply has been presented on behalf of the respondents and in paragraph Nos.4 and 5, it is averred thus, -

"4. I say and submit that the office of this respondent taken every efforts to implement the orders. The action has also been taken against the officers, who have not joined the post of transfer and also against the controlling officers, who are responsible to relieve them. Two officers from Maharashtra State Council of Examination were put under suspension for disobeying the orders and departmental enquiry is proposed against the chairman and Commissioner, Maharashtra State Council of Examination, who are responsible for not relieving the erring officers.

5. I say and submit that it is pertinent to note that (07) officers from MES and GSS were suspended, pending departmental enquiry for disobeying transfer orders, dated 31.5.2013. Hence, it is crystal clear that Government is taking every effort to implement policy regarding transfer of Government Servants."

4) In view of the explanation tendered on behalf of the State Government and in view of

initiation of the action against the erring officials, by the State Government, we do not deem it necessary to issue further directions in the matter. Even otherwise, according to us, the petitioner does have no locus to make any grievance in respect of the matters concerning services of the employees of the State Government. The PIL is devoid of substance, hence stands rejected.

(P.R.BORA)
JUDGE

(R.M.BORDE)
JUDGE

bdv/