

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION***

***WRIT PETITION NO. 6593 OF 2015***

Smt.Sunanda Rajaram Khade

... Petitioner

v/s

The State of Maharashtra & ors.

... Respondents

Mr.G.T. Kanchanpurkar for the petitioner.

Mr.A.D. Kango, A.G.P. for Resp. No.1.

***CORAM: N.M. JAMDAR, J.***

***DATED : 15 SEPTEMBER 2015***

***P.C.:***

By this petition, the Petitioner challenges the interim orders passed by the Labour Court and the Industrial Court, Satara, rejecting the application for stay of transfer of the Petitioner pending the Complaint filed by the Petitioner.

2 The Petitioner has filed Complaint (ULP) No.15 of 2014 challenging her transfer from Palshi Primary Health Centre to Malwadi Primary Health Centre. The Petitioner is working as a Arogya Sevika.

3 Both the Labour Court and Industrial Court found that *prima*

*facie* the transfer of the Petitioner was on an administrative ground and no case of malafides has been made out. As regard the contention of the Petitioner regarding breach of certain regulations and the Petitioner being a member of the Union, it will be considered at the time of hearing of the complaint.

4 No fault can be found with the interim orders passed by the Labour Court and Industrial Court. The distance between two places is about 18 kms. Considering the distance involved, the post remaining the same and being transferable no grave failure of principles has occurred. In case the Petitioner succeeds in complaint, the Petitioner will obviously be relegated to her original posting.

5 In the circumstances, the petition cannot be entertained and is accordingly rejected.

( N. M. JAMDAR, J. )

***CERTIFICATE***

***Certified to be true and correct copy of the original signed order.***