

Sequeira

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

WRIT PETITION NO. 9809 of 2015

Mr.Dhananjay Ganpatrao Kale

.. Petitioner

Vs.

M/s.Siemens Ltd. & ors.

.. Respondents

Mr.Rajesh Tekale, for Petitioner.

Mr.Rahul Oak, for Respondents.

CORAM: N.M.Jamdar, J.

Saturday, 5 December 2015

PC. :

The Petitioner who is working in the Respondent No.1 Company is transferred from Pune to Gurgaon, Haryana by order dated 13 May 2015. He filed a complaint (ULP)-193 of 2015 in Industrial Court, Pune which is pending.

2. By the impugned order dated 20 June 2015, the application for interim relief taken out by the Petitioner is rejected and the Petitioner has joined services at Gurgaon and is currently working there. The learned counsel for the Petitioner submitted that the Petitioner suffers from 40 per cent disability and it was not necessary for the Respondent No.1 to transfer the Petitioner to Gurgaon when there are posts available in Mumbai and such other close-by locations. He relied upon a communication addressed to the Petitioner on 4 February 2015.

3. When complaint is pending before the Industrial Court and that the Petitioner is ready for a transfer out of Pune, and the only question he now agitates is which place he should be transferred. The Petitioner can always take out an application for appropriate relief in the pending complaint for that purpose, which will be considered by the Industrial Court on its own merits. In view of this option being available to the Petitioner, it is not necessary to interfere with the impugned order. The Writ petition is accordingly **disposed of** with the clarification as above.

(N.M.Jamdar, J.)