

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Writ Petition No. 2825 of 2015

(Rajendra S/o Vishwanath Bhagurkar Vs. Union of India Department of
Ministry of Home Affairs through its Secretary and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri A. R. Patil, Advocate for the petitioner
Shir Rohit Deo, ASGI for the respondents

**CORAM : Smt. V. A. Naik and
P. B. Varale, JJ.**

DATE : 23-11-2015.

Heard.

By this petition, the petitioner challenges the
order dated 29-4-2015, transferring the petitioner
from Nagpur to 195 Battalion.

According to the petitioner, by the order of
transfer dated 8-7-2014, the petitioner was
transferred to Nagpur for the tenure till Summer,
(SCT) 2016. According to the petitioner, since by the
order dated 8-7-2014, the petitioner was to remain at
Nagpur till Summer (SCT), 2016, he could not have
been transferred in Summer, 2015.

The respondents have filed an affidavit-in-
reply. It is stated in the affidavit-in-reply that an
employee is entitled to remain in one Sector for 10

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years and since the petitioner has completed 14 years in the Western Sector that includes Nagpur, the petitioner was transferred from Nagpur to 195 Battalion by the impugned order.

Without going into the issue whether the petitioner would have a right to remain at Nagpur in view of the order dated 8-7-2014, since we had stayed the impugned order on 12-5-2015, we dispose of the writ petition with a direction to the respondents to consider transferring the petitioner from Nagpur in Summer (SCT), 2016 without giving effect to the transfer order.

The learned counsel for the petitioner states that the petitioner would not have any objection if the petitioner is transferred in Summer (SCT), 2016.

The respondents are free to transfer the petitioner in Summer(SCT), 2016.

Order accordingly. No costs.

JUDGE

JUDGE

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