

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2946/2014
(USHA GULABRAO GHORMARE **VERSUS** Z.P. GADCHIROLI)

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

Court's or Judge's orders

Shri S.P. Palshikar, counsel for the petitioner.
Mrs M.P. Munshi, counsel for the respondent.

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.

DATE : APRIL 16, 2015.

Heard.

By this petition, the petitioner challenges the order of transfer dated 26.05.2014.

Mrs. Munshi, the learned counsel for the Zilla Parishad raises a preliminary objection to the tenability of the writ petition. It is stated that the petitioner has an alternate efficacious remedy of challenging the transfer order before the Divisional Commissioner, Nagpur.

Shri Palshikar, the learned counsel for the petitioner, states that the petitioner would file an appropriate appeal/application before the Divisional Commissioner, Nagpur and she may be permitted to withdraw the writ petition. The learned counsel requests for the continuation of the interim relief for a period of two weeks.

The request made on behalf of the petitioner is just and reasonable.

Hence, we dispose of the writ petition with a liberty to the petitioner to file an appeal/application before the Divisional Commissioner, Nagpur within a period of two weeks. The ad-interim relief to continue only for a period of two weeks.

We make it clear that we have not made any observations in the ad-interim order on the *prima-facie* case in favour of the petitioner. Hence, the Divisional Commissioner is free to decide the application for stay-interim relief on its merits and in accordance with law.

Order accordingly. No costs.

JUDGE

JUDGE

APTE