

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 6516 OF 2016**

SANJAY PANCHAKSHRI MATHPAT

VERSUS

UNITED INDIA INSURANCE COMPANY LTD THROUGH
CHIEF REGIONAL MANAGER AND ANOTHER

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Advocate for Petitioner : Mr. Gaikwad Anil M.
AGP for Respondent/State : Mr.S.P. Deshmukh
Advocate for Respondent Nos. 1 and 2 :
Mr.S.G. Chapalgaonkar

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CORAM : S.S. SHINDE & P.R. BORA, JJ.**Dated: July 28, 2016**

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PER COURT :-

Heard the learned counsel appearing
for the parties.

2. The learned counsel appearing for the petitioner submits that the petitioner's son is mentally retarded and he is taking treatment at Latur. The petitioner is transferred at Jalgaon, which is 400 Kms away from Latur. He submits that the petitioner will be satisfied in case the Respondents considers his request for transfer not at Latur but some other place which is nearby Latur. He submits that the policy of the

Respondents is that the employee should not be transferred more than 150 kms away from the existing place.

3. On the other hand, the learned counsel appearing for Respondent Nos. 1 and 2, relying upon the averments made in the affidavit in reply, submits that the petitioner's request was considered earlier when he was transferred to Gondia thereby transferring him to Jalgaon. It is not possible to accede to the request of the petitioner now again to transfer to Latur or the nearby places at Latur, since the enquiry is being conducted at Aurangabad and in case, the petitioner's request is considered for transfer to Latur or the nearby places at Latur, it is likely that the petitioner may indulge into tampering of the documents etc.

4. Upon hearing the learned counsel appearing for the petitioner and the learned counsel appearing for the Respondents, in the peculiar facts of the present case and in view of the averments in the affidavit in reply, we are not inclined to consider the request of the petitioner. We do not want to elaborate the reasons, as it may cause

prejudice to the case of the parties as enquiry is pending.

5. For the reasons aforesaid, the Petition stands rejected.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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