

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 380 OF 2016**

DILWARSING GIRDHAR RAWTALE

VERSUS

THE STATE OF MAHARASHTRA AD ANOTHERS

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Advocate for Petitioner : Mr.Shinde Balaji S.

AGP for Respondent/State :Mrs.M.A. Deshpande

Advocate for Respondent no.2 :Mr.V.S.

Chaudhari

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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 petitioner. The learned counsel appearing for the petitioner submits that the petitioner filed application for his transfer from Satara Zilla Parishad to Nandurbar Zilla Parishad under couple convenience policy of the Government. However, the Respondent - Zilla Parishad, Nandurbar has included the name of the petitioner in the list maintained by the Zilla Parishad for one side transfer category. The learned counsel appearing for the petitioner submits that even Satara Zilla Parishad has not properly considered the application filed by the petitioner and

wrongly observed in the *inter se* communication between the Chief Executive Officer, Nandurbar and Chief Executive Officer, Satara that the petitioner's request is for one side transfer. Therefore, he prays that he may be allowed to take exception to the said *inter se* communication of the said two authorities and the petitioner may be allowed to implead the said Zilla Parishad as party respondent.

2. On the other hand the learned counsel appearing for the Respondent - Zilla Parishad, Nandurbar, relying upon the averments in the affidavit in reply, submits that the Zilla Parishad, Nandurbar has considered the request of the petitioner, keeping in view the *inter se* communication between the Chief Executive Officer, Nandurbar and the Chief Executive Officer, Zilla Parishad, Satara and the petitioner's name is included in the wait list prepared for candidates desirous for one side transfer.

3. Upon considering the submissions advanced by the learned counsel appearing for the parties and the documents placed on

record, in our opinion, the Respondent - Zilla Parishad, Nandurbar, keeping in view the communication by the Chief Executive Officer, Zilla Parishad, Satara has included the name of the petitioner in the wait list for one side transfer. In case, the petitioner is of the opinion that the petitioner's application is not properly considered by the Zilla Parishad, Satara, it may be open for the petitioner to once again approach the Zilla Parishad, Satara. We do not wish to enlarge the scope of the Writ Petition. Hence Writ Petition stands disposed of.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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