

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3540 OF 2016

Dr. Smita Shaligram Harne	..Petitioner
Versus	
The State of Maharashtra & Ors.	..Respondents

Mr. J.M.Murkute i/by Mr. D.P.Gavle , Advocates for the Petitioner.
Mr. V.M.Mali , AGP for the State.

**Coram : SHANTANU KEMKAR &
 RANJIT MORE, JJ.**

Date : 29th APRIL, 2016.

P. C. :

Heard learned counsel for the Petitioner on the question of Admission.

2 The Petitioner is working on the post of Assistant Professor. She has been transferred vide order dated 6.1.2016 from Nashik to Surgana.

3 Aggrieved by the said order of transfer on the ground of personal difficulties, the Petitioner has filed this petition.

4 Admittedly, Surgana is in the Nashik District itself and is less than 100 kms of distance from Nashik. It has now been well settled that transfer is an incident of service and in the absence of strong case of malafide or breach of statutory rule or unless the

transfer order is being passed by an incompetent authority, the same cannot be interfered into by the Courts. In the circumstances, we decline interference in the matter.

5 However, so far as the Petitioner's representation made before the Deputy Registrar, Law and Grievances, Savitribai Phule Pune University, we expect that the said authority will consider and decide the Petitioner's representation as expeditiously as possible taking into consideration all the grounds raised in it preferably within four weeks from the date of receipt of the copy of this order.

6 With the aforesaid observation, the Petition is disposed of
C.C. As per Rules.

[RANJIT MORE, J.]

[SHANTANU KEMKAR, J.]