

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3136 OF 2016
IN
WRIT PETITION NO.13363 OF 2016

Chaya Avinash Jadhav ...Petitioner
vs.
The State of Maharashtra and Others ...Respondents

Mr. S.S. Pakale a/w. Mrs. S.M. Katkar, for the Petitioner
Mrs. R.M. Shinde, AGP for the Respondent-State.

CORAM : SHANTANU S. KEMKAR &
PRAKASH D. NAIK, JJ.

DATE : **DECEMBER 21, 2016**

PC.:

- . Parties through their counsel.
2. Heard on the Civil Application No. 3136 of 2016.
3. For the reasons stated in the Civil Application, the order
16th November, 2016 is recalled.
4. Recalling the earlier order in Writ Petition No. 13363 of
2016 (Writ Petition (St.) No. 31072 of 2016), we pass the following
order.

5. Heard learned counsel for the Petitioner on the question of admission. Issue notice to the Respondents. Learned AGP waives service of notice on behalf of Respondents-State.

6. Heard the learned counsel for the Petitioner on the question of interim relief.

7. The Petitioner was transferred vide order dated 29th June, 2015 from **Municipal Corporation, Nashik to Municipal Corporation, Pune**. In pursuance of the said order, the Petitioner had joined the Municipal Corporation, Pune. After about a year the impugned order has been passed cancelling the Petitioner's transfer and ordering her to be posted at **Municipal Corporation, Nashik**. According to the Petitioner, she was transferred under the policy of keeping the husband and wife at the same place of work as far as possible and after implementation of the transfer order which was passed in the year 2014, the impugned order of cancellation of implemented transfer order has been passed.

8. Keeping in view the aforesaid submission, by way of

interim order, we direct that operation of the impugned order dated **3rd December, 2015 as also 21st October, 2016** qua the Petitioner shall remain stayed till next date of hearing. The Respondents are directed to allow the Petitioner to work **at Municipal Corporation, Pune, Primary School No. 92, At Dhyari, Dist. Pune** till next date of hearing.

9. Reply of the Petition be filed by the Respondents within four weeks. List the matters as per C.M.I.S. date.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)