

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2420 OF 2016

Shri. Awad Kishor	}	Petitioner
versus		
Government of India	}	
and Anr.	}	Respondents

Mr. Anuj P. Agarwala i/b. Ms. Khushboo J.
Tatia for the petitioner.

Mr. Shailesh Naidu with Mr. Gandhar
Raikar for respondent no. 2.

Mr. A. P. Singh - Regional Service
Manager, Coal India Ltd. present.

CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.
DATED :- DECEMBER 22, 2016

P.C. :-

1. The Coal India Limited had transferred the petitioner from Mumbai to Bilaspur, but the complaint of the petitioner is that it is not the transfer to Bilaspur, but at a remote area in Chhattisgarh. That area is at a distance of 200 k.m. from Bilaspur.

2. Such a petition was argued for quite some time and when we expressed our disinclination to interfere with the order of transfer of the petitioner, it was stated that the petitioner's mother is suffering from Cancer. She requires regular treatment

and could be better treated in hospitals at Mumbai. Therefore, this transfer order will cause inconvenience to him.

3. We put it to Mr. Naidu appearing for the first respondent-Coal India Limited as to why there could not be any change in the ultimate transfer order by posting the petitioner at Bilaspur and not directing him to work at the said remote village area, as complained.

4. We are happy to note that, on taking instructions, Mr. Naidu informs the court that the transfer order would be changed/modified so that the petitioner would be posted at Headquarters of South Eastern Coalfield Limited, Bilaspur, which is a Division of the second respondent. He would be posted at the Head Office and that change would be brought about within a period of 30 days from the date of receipt of a written request by the petitioner. We accept both the statements of Mr. Naidu as undertakings given to this court. Meaning thereby, the transfer order would be modified so as to transfer the petitioner at the Headquarters within a period of 30 days from the date of receipt of a written request made by the petitioner.

5. The writ petition is disposed of in the above terms.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)