

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2079/2015

Smt. Nilima w/o Narad Patle

...Versus...

Zilla Parishad Gadchiroli through its Chief Executive Officer, Gadchiroli and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.P. Palshikar, Advocate for petitioner
Shri S.D. Zoting, Advocate for respondent no.1

CORAM : SMT. VASANTI A. NAIK AND
A. S. CHANDURKAR, JJ.

DATE : 03.02.2016

By this petition, the petitioner challenges the order of the Chief Executive Officer of Zilla Parishad, Gadchiroli, dated 4.4.2015 rejecting the request of the petitioner to retain her at Gilgaon.

Shri Zoting, the learned Counsel for the Zilla Parishad raises a preliminary objection to the tenability of the writ petition. It is stated that the petitioner has a remedy of filing the application/appeal before the Divisional Commissioner against the said order. It is stated that the petitioner has not applied for her transfer to Gilgaon or any other place within a period of one month from the date of the impugned order and hence, she was not considered for transfer in the year 2015-16.

We uphold the preliminary objection raised on behalf of the Zilla Parishad and decline to entertain the writ petition, in view of the same. The writ petition is dismissed. The petitioner is free to file appropriate proceedings before the Divisional Commissioner. Since we had permitted the petitioner to continue at Gilgaon only till 30.4.2015, there is no question of continuing the interim order.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar