

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

WRIT PETITION NO.2354/2016

Ku. Neelima d/o Gaurishankar Shil

...Versus...

State of Maharashtra, through its Chief Executive Officer, Zilla Parishad,
Chandrapur, Distt. Chandrapur 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.S. Meshram, Advocate for petitioner

CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATE : 21.04.2016

By this writ petition, the petitioner challenges the order of transfer, dated 28.5.2015 from Nagbhid in Mohadi Circle to Sawali in Sawali Circle.

On hearing the learned Counsel for the petitioner, we find that the petition suffers from laches. The petitioner has challenged the transfer order dated 28.5.2015 by filing the writ petition on 12.4.2016. The inordinate delay in challenging the transfer order has not been explained, much less satisfactorily. Though it is stated on behalf of the petitioner that an appeal was filed against the impugned order before the Divisional Commissioner, we find that the petitioner has not filed an appeal and only a representation is made to the Divisional Commissioner against the order of transfer. If the representation was made by the

petitioner to the Divisional Commissioner on 3.6.2015 and the same was not decided by the Divisional Commissioner, it was necessary for the petitioner to have approached this Court within a reasonable time, either for a direction to the Divisional Commissioner to decide the representation within a time-frame or the petitioner could have challenged the order impugned. The petitioner has challenged the order of transfer after almost one year and it would not be proper to entertain the writ petition at this stage.

Hence, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

Wadkar