

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

WRIT PETITION NO. 2755 OF 2016

Omsingh s/o Gopalsingh Chavan

-vs-

Chief Executive Officer, Zilla Parishad, Gadchiroli and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.M.Sudame, counsel for the petitioner.
Mr. H.A.Deshpande, counsel for the respondent Nos.1 and 2.
Mr. V.P. Gangane, AGP for the respondent No.3.

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 22.06.2016.

By this writ petition, the petitioner challenges the impugned order/communication by which the post of Agricultural Officer has been diverted from Sironcha to Etapalli.

The petitioner claims to be in the employment of the respondent-Zilla Parishad as an Agricultural Officer and is posted at Bhamragad from 01/07/2014. Incidentally, it needs to be mentioned that the petitioner was posted at Sironcha for almost 14 years prior to his transfer to Bhamragad. Since the petitioner had attained the age of 53 years and the Government Resolution provides that on attaining the said a request for transfer could be considered, the petitioner had applied for his transfer to Sironcha. The office from Sironcha is however relocated and is shifted to Etapalli by the impugned communication, with the result that the petitioner cannot be transferred to Sironcha. The petitioner has challenged the action on the part of the respondent-Zilla Parishad of transferring the office of the Agricultural Officer from Sironcha to Etappali. According to the petitioner, the transfer of the office is with a view to accommodate Shri Pendam, who was willing to work at Etapalli. It is stated that the petitioner cannot be transferred to Sironcha in view of the relocation of the office, as per his request.

We find that the petition is meritless and is liable to be dismissed. The petitioner was not posted at Sironcha when the office of the Agricultural Officer was transferred from Sironcha to Etapalli by the impugned communication/order. The petitioner is working at Bhamragad from 2014 and had sought for his transfer to Sironcha, on request, in view of the policy of the State Government. It cannot be said in the circumstances of the case that the office of the Agricultural Officer was transferred from Sironcha to Etapalli either with a view to deprive the petitioner from the posting at Sironcha or with a view to accommodate some other employee at Etappali. We do not find any fault with the action on the part of the respondent-Zilla Parishad in transferring the office of the Agricultural Officer from Sironcha to Etapalli, as the transfer of an office is an administrative decision. There cannot be any interference in the matter of transfer of the office of the Agricultural Officer more so, at the behest of the petitioner, who is merely seeking his transfer to the place from which the office is transferred.

In the result, the writ petition fails and is dismissed with no order as to costs.

JUDGE

JUDGE