

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

WRIT PETITION NO.3284 OF 2016

[Anil s/o Gangadhar Ingole .vs. Maharashtra Jeevan Pradhikaran and others]

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

Court's or Judge's orders

Shri P.D. Meghe, counsel for the petitioner,
Shri D.M. Kakani, counsel for respondent nos.1 to 4,
Shri V.P. Gangane, A.G.P. for respondent no.5.

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

DATED : JULY 27, 2016.

By this writ petition, the petitioner challenges the order of transfer of the petitioner from the Maharashtra Jeevan Pradhikaran, Division, Gondia to Zilla Parishad, Hingoli, on deputation.

According to the petitioner, the petitioner is being shifted from one place to another three times within a period of two years. It is stated that the petitioner is due to retire on attaining the age of superannuation on 31st of October, 2016.

While issuing notice to the respondents, by the order, dated 15.6.2016, we had directed the parties to maintain *status-quo* on finding that the petitioner has made out a *prima facie* case. As a result of the order of *status-quo*, the petitioner continues to work in Maharashtra Jeevan Pradhikaran, Division, Gondia. Since the petitioner is due to retire on attaining the age of superannuation on 31st of October, 2016 and since the petitioner is required to serve only for the period of three months prior to his retirement, without deciding the issue involved in this case, the writ petition could be disposed of by permitting the petitioner to work at Gondia, till he attains the age of superannuation.

Hence, in the peculiar facts of the case, without deciding the issue involved in this case, we dispose of the writ petition by directing the respondents not to give effect to the transfer order and permit the petitioner to work in Maharashtra Jeevan Pradhikaran, Division, Gondia, till his retirement. Order accordingly. No costs.

JUDGE

Gulande, PA

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

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