

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3651/2016

(SUMITRA GANESHRAO KOSARE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri M.A. Sable, counsel for the petitioner.
 Ms N.P. Mehta, A.G.P. for the R-1 & 2.

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

DATE : JUNE 30, 2016.

By this writ petition, the petitioner challenges the order of her transfer from Nagar Parishad School No.2 in Shendurjanaghat to Nagar Parishad School No.3, in the same town.

It is the case of the petitioner that the transfer is a mid-term transfer. According to the petitioner, by an order dated 23.06.2016, the petitioner was transferred from Nagar Parishad School No.2, where she is working, to Nagar Parishad School No.4, in the same town. The petitioner was ready to abide by the said transfer order but, she was not permitted to do so in view of the impugned transfer order of the same day, that cancelled the transfer of the petitioner from Nagar Parishad School No.2 to Nagar Parishad School No.4. According to the petitioner, by the impugned transfer order, the petitioner has been wrongfully transferred in the midst of the term from Nagar Parishad School No.2 to Nagar Parishad School no.3.

we do not find any illegality in the impugned order of transfer dated 23.06.2016. The case of the petitioner that it is a mid-term transfer is not correct. It is the case of the petitioner that on the same day, the petitioner was earlier transferred from Nagar Parishad School No.2 to Nagar Parishad School No.4 in the same town and she was ready to join in the Nagar Parishad School No.4.

If that be so, the petitioner cannot blow hot and cold. The petitioner is ready to accept a transfer of the same date, whereas she is challenging another transfer of the same date on the ground that it is a mid-term transfer. In any case, by the impugned transfer order, the petitioner is merely asked to join in yet another school in the same town. We do not find that the impugned order is a mid-term transfer as the same is passed on 23.06.2016, i.e. before the term in the school begins.

In the circumstances of the case, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

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