

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6865 OF 2016

Vishwanath Kashinath Gaikwad

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

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Mr. A.N. Patil, Advocate h/f Mr. S.S. Chapalgaonkar, Advocate for petitioner.

Ms. R.P. Gour, A.G.P. for Respondent No.1.

Mr. A.D. Aghav, Advocate for Respondent No.2.

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**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.**

DATED : 17th FEBRUARY, 2017

ORDER :

1. The petition is filed to challenge the order of transfer of the present petitioner made by respondents from Pimpalwadi, Tahsil Rahata to Kharadgaon, Tahsil Shevgaon. Both sides are heard.

2. It is the case of petitioner that he came to be posted at Pimpalwadi on 29th June, 2013 and he had not completed five years of service at the station. He was not due for transfer but he came to be transferred from present station also. Learned Counsel for respondents

drew the attention of this Court to the policy prepared by respondents for transfer. For Rahata tahsil, there was excess staff of headmasters. As per the policy decision, the headmaster who has served most at the station was liable to be transferred. Accordingly, the petitioner is transferred. The petitioner cannot have any grievance in that regard.

3. It appears that in the petition, age of petitioner is mentioned as 53 years. Learned Counsel for petitioner conceded that by mistake this age is mentioned and he has not completed 53 years of age. There is policy of respondents not to transfer the employee who has crossed the 53 years of age. Thus, this ground is not open for the petitioner.

4. This Court holds that there is no possibility to interfere in the transfer order. Petition stands dismissed.

SSD (SANGITRAO S. PATIL, J.) (T.V. NALAWADE, J.)