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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.5309/2016

Beldar Shaikh Faheem Shaikh Ismail.
...Petitioner..

Versus

The State of Maharashtra & others.
...Respondents...

.....

Shri Anandsing Bayas, Advocate for petitioner.
Shri S.B. Yawalkar, AGP for respondent nos.1 to 4.

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**CORAM: DR.MANJULA CHELLUR, CJ. &
R.M. BORDE, J.**

DATE: 28.06.2017

ORDER :

- 1] Heard learned counsel appearing for the parties.
- 2] According to the petitioner, at the time of opting out the examination centre for the post he is occupying, he gave the examination centre as Jalgaon. He also points out certain inconveniences he underwent for getting additional marks of 9 at the time of selection process.
- 3] However, on perusal of the papers and hearing the petitioner's counsel, we are of the opinion that

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those marks really are not connected with the relief, which the petitioner is seeking.

4] According to the petitioner, his family is residing at Jalgaon and he is posted at Jalna. However, there are number of posts vacant at Jalgaon. Therefore, he could be transferred to Jalgaon in terms of inter-District transfer policy. He also points out his grievance that with the meager salary of Rs.6,000/- per month, he is not in a position to maintain himself at Jalna as well as maintain his family at Jalgaon. According to him, he submitted the representations right from 2013 onwards and the same are not considered till date. Since his representations are not considered in terms of inter-District transfer policy, we are not in a position to say whether the authority concerned has applied its mind to facts of the petitioner's case *vis-a-vis* the transfer policy applicable.

5] In that view of the matter, we dispose of the writ petition directing the respondent nos.5 and 6 to treat the writ petition as a representation and consider the request of the petitioner for transferring him to Jalgaon from Jalna strictly adhering to the policy, which

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is in force and applicable, within a period of three months from today. The writ petition is accordingly disposed of. No costs.

(R.M. BORDE, J.)

CHIEF JUSTICE