

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 998 OF 2017

Prashant Dhargalkar

...Petitioner

Versus

1. The State of Goa & 2 Ors.

...Respondents

Mr. Ravi Gawas, Advocate for the Petitioner.

Mr. Sagar Dhargalkar, Addl. Government Advocate for the Respondents.

***Coram : N.M. Jamdar &
Nutan D. Sardesai, JJ***
Date: 14th November 2017

PC:-

1. Heard Mr. Gawas, learned Counsel appearing for the Petitioner and Mr. Dhargalkar, learned Addl. Government Advocate appearing for the Respondents.

2. By Order dated 6th November 2017, the Petitioner who is working as a Leading Fire Fighter attached to Fire Station Pernem, is transferred and posted at Curchorem. The Petitioner has challenged the Order of transfer on the ground that the Petitioner has completed two years on the post while the Office Memorandum dated 16th March 1998 laying certain guidelines states that generally an employer should be transferred after a period of three years. The learned Counsel for the Petitioner agrees that the Petitioner has not made a detailed representation against the transfer and has approached this Court directly.

3. We are of the opinion that the Petitioner should make a representation and considering the averments made in the Petition, we are not inclined to consider the grievance of the

Petitioner at the first instance. The appropriate course of action would be to direct the Petitioner to make a representation setting out his grievances to the concerned authorities and to direct the concerned authorities to take a decision thereof within a time bound period.

4. We are inclined to direct the Respondent-Authority to take a decision within time bound period subject to the Petitioner joining the transferred post within a period of two days, and making a representation within two days from today. If these two conditions are satisfied, then the Respondent-Authorities will decide the representation of the Petitioner within two weeks of the receipt of the same and communicate the same to the Petitioner. Contentions kept open.

5. The Writ Petition is accordingly disposed of.

Nutan D. Sardesai, J.

N. M. Jamdar, J.