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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 1623 OF 2017**

Shri Bhausahab Vishwanath Mandge and
Ors.

... Petitioners

Versus

The State of Maharashtra and Ors.

... Respondents

Mr. S.S. Pakale i/by Mr. S.M. Katkar for the petitioners.

Mr. S.B. Kalel, AGP for Respondent State

**CORAM : SHANTANU KEMKAR &
PRAKASH D. NAIK, JJ.
DATED : FEBRUARY 07, 2016.**

P.C.

Parties through their counsel.

2. Leave to amend is granted. The amendment to be carried out forthwith.

3. The petitioners are aggrieved by their respective transfer orders. According to them, the transfer order is being passed contrary to the Government Resolution which says that in case of husband and wife being employee of the Zilla Parishad or Government, they shall not be transferred to the place beyond 30 Kms as far as possible, as provided in the GR. Learned Counsel for respondent no.2 to 5 submits that before approaching this court, the petitioners had not filed any representation challenging the impugned transfer orders pointing out

the violation of GR and the personal difficulties as have been stated in the petition.

4. Keeping in view the aforesaid, we are inclined to dispose of this petition with a liberty to the petitioners to submit a detailed representation with supporting documents, if not already submitted, before the CEO, i.e. respondent no. 2 within ten days from today. In case such representation is submitted within the aforesaid period, respondent no.2 shall consider the same and shall take appropriate decision on the same by taking into consideration the grounds as may be stated in the representation. Let the said decision be taken within two weeks from the date of receipt of the representation. All contentions are kept open. Petitioners shall be at liberty to challenge the decision, if the same is adverse to the interest of the petitioners.

4. Writ Petition stands disposed of.

5. Parties to act on authenticated copy of this order.

(PRAKASH D. NAIK, J.)

(SHANTANU KEMKAR, J.)