

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6439 OF 2017

Smt. Sulochana Yashwant Guldagade ... Petitioner
Vs.
The State of Maharashtra & Anr. ... Respondents

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Mr. N. V. Bandiwadekar i/b. Mr. S. A. Mane for the Petitioner.
Mr. B. V. Samant, AGP for Respondent No.1-State.
Mr. Yuvraj Gharal h/f Mr. Vijay Killedar for Respondent No.2.

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**CORAM : B. R. GAVAI AND
RIYAZ I. CHAGLA, JJ.**

DATE : JULY 13, 2017.

P.C. :

1. Rule. Rule made returnable forthwith. Heard finally by consent.
2. The facts in the present Petition are almost similar to the facts in Writ Petition No. 6438 of 2017 decided by us by order of even date. In the present case also, the petitioner has sought transfer to her native district Sangli from district Raigad on the ground of she being divorced.
3. In the present case, the Raigad Zilla Parishad has granted its no objection on 30th August, 2014, whereas, the Sangli Zilla Parishad has granted its no objection on 5th January, 2017. We have already held in Writ Petition No. 6438 of 2017 that the 2017

policy would not be applicable wherein both the Zilla Parishads have given their no objection certificate. Undisputedly, both the Zilla Parishads have given their no objection. In the present case also, it is not the case of respondent no. 2 that the no objection certificate obtained by the petitioner from either of the Zilla Parishads is obtained in illegal manner.

4. In that view of the matter, the Petition deserves to be allowed. The respondent no.2 is directed to take necessary steps so as to enable the petitioner to resume her duties in Sangli Zilla Parishad within a period of four (04) weeks from today.

5. Rule is made absolute in the aforesaid terms. The Writ Petition is accordingly disposed of. There shall be no order as to costs.

(RIYAZ I. CHAGLA, J.)

(B. R. GAVAI, J.)