

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10367 OF 2017

Banjara Vidyarthi Vastigruh

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.P.B.Shirsath, advocate for the petitioner.

Mr.S.G.Karlekar, A.G.P. for Respondents No.1, 2 and 4.

Mr.S.V.Kshirsagar, advocate holding for Mrs.M.A.Deshpande,
advocate for Respondent No.3.

Mr.M.R.Andhale, advocate for Respondent No.5.

CORAM : R.M.BORDE &

MANGESH S. PATIL, JJ.

DATE : 29th September, 2018

PER COURT:

1 An affidavit-in-reply has been presented on behalf of respondents no.1 and 2 and in paragraphs no.4 and 5, it is recorded thus:

4 I say and submit that, since there is dispute between two factions of Management of Banjara Vidyarthi Vastigruh and Shankar Surekh Mahila Mandal, the Respondent No.3 had on earlier occasion vide communication dated 17.10.2016 addressed to office of the Respondent No.2, communicated that there can be no recommendation for transfer of the said Banjara Vidyarthi Vastigruh to Shankar Surekh Mahila Mandal.

5 I therefore say and submit that, although the report for recommendation of transfer was called from the office of Respondent No.3 vide impugned communication dated 12.05.2017 but

no further steps are undertaken for transfer of the said hostel.

2 Since the order of transfer has not yet been passed, there is no cause of action for the petitioner to present instant petition. It would be open for the petitioner to avail of the remedies available in law and when cause of action occurs.

3 With the liberty as aforesaid, writ petition stands dismissed.

MANGESH S. PATIL
JUDGE

R.M.BORDE
JUDGE

adb/