

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

36 WRIT PETITION NO.14293 OF 2018

ALIM MIRZA BAIG MIRZA SAJJAD BAIG
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr.Satej S. Jadhav, Advocate for the
petitioner

Mr.S.M.Ganachari, AGP for Respondent – State

...

**CORAM: S.S.SHINDE &
A.M.DHAVAL, JJ.**

DATE : 21.12.2018

ORDER:

1] Learned counsel appearing for the petitioner submits that, the petitioner has already approached the Divisional Commissioner, Aurangabad, by filing representation. He submits that, the impugned order of transfer is punitive in nature inasmuch as there is reference in the impugned order that, due to complaint received by the Chief Executive Officer, Hingoli, the petitioner has been transferred from Shengaoon to Vasmat.

2] Since the representation of the petitioner is pending with respondent no.2, we direct respondent no.2 to decide the said representation, keeping in view the impugned order of transfer, wherein there is reference to the complaint received by respondent no.3, and therefore, the petitioner is transferred. Respondent no.2 also to afford reasonable opportunity of hearing to the petitioner.

3] The petitioner to appear before respondent no.2 in his office, between 11.00 a.m. to 2.00 p.m. on 26th December, 2018.

4] Said representation to be decided within two weeks from today.

5] The respondents are directed to maintain status quo as to the place of service / employment as prevailing on today for two weeks or till the representation is

decided by respondent no.2, whichever occurs first.

6] With the above observations, the Writ Petition stands disposed of.

7] Parties to act upon authenticated copy of this order.

[A.M.DHAVALA]
JUDGE

[S.S.SHINDE]
JUDGE