

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

WRIT PETITION NO. 2015 OF 2018

THE EXECUTIVE ENGINEER IRRIGATION RESEARCH DEPARTMENT
NASHIK AND ANOTHER
VERSUS
SANJAY KRUSHNA BHAVSAR

...

AGP for the Petitioners : Shri S.K.Tambe.

Advocate for the Respondent : Shri Barde Parag Vijay.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 24th February, 2018

Per Court:

1 This matter was heard extensively on 23.02.2018 and was posted today to enable the learned Advocate for the Respondent to take instructions as to whether, the Respondent would be inclined to join the duties by April, 2018.

2 The learned Advocate for the Respondent, submits on instructions from the Respondent, who is present in the Court, that the Respondent would join at the place of transfer at Khandala on 02.05.2018. He also requests that during the routine course of proposing the transfers of employees, the Petitioner may reconsider the case of the Respondent at least in 2019.

3 The learned AGP submits that after the Respondent reports

for duties on 02.05.2018, the other grievances would be considered subject to the result of the pending litigation.

4 Considering the above, the impugned order dated 16.03.2017 is set aside. The Respondent shall perform his duties as per his statement at Bhingar, Ahmednagar upto 30.04.2018 and thereafter, shall report at Khandala on 02.05.2018, as per his request.

5 Since the controversy is as to whether, the impugned order before the Industrial Court would be an order of deputation or an order of transfer, the Industrial Court shall accordingly, cast an issue and deal with the said aspect along with all other issues.

6 This Writ Petition is, therefore, partly allowed in the above terms.