

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 388 OF 2018.

Sandesh Ganpati Gaukar, ... Petitioner
Versus
State of Goa, Thr Its Chief
Secretary and 2 ors. ... Respondents.

Mr. Siddharth Samant, Advocate for the Petitioner.
Mr. Sagar Gurudas Dhargalkar, Addl. Govt. Advocate for the
Respondent nos.1 to 3.

***Coram:- N. M. JAMDAR &
PRITHVIRAJ K. CHAVAN, JJ.***

Date:- 14 June 2018

P.C.

By this petition, the Petitioner has sought for various reliefs. The primary relief is regarding a challenge to the order of transfer.

2. The Petitioner was working under the Supervision of Administrator of Comunidade. The Petitioner was transferred by an order dated 30 October 2017 from Palolem to Canacona at a distance of 45 Kms. Since the Petitioner did not join on the transferred post, a disciplinary inquiry was conducted. The Petitioner was placed under suspension. The Petitioner filed this petition in February 2018. Till today the Petitioner has not joined at the transferred place.

Disciplinary inquiry has therefore been initiated against the Petitioner. There is no clear reason coming forth as to why the Petitioner could not challenge the order of transfer earlier and as it seems he himself has decided not to join the transferred post. In these circumstances, we are not inclined to entertain the challenge to the order of transfer. Even, otherwise we do not find that the distance of 45 kms, so drastic or causes immense hardship, that we should interfere in our writ jurisdiction, since the post is admittedly a transferable post.

3. The learned Counsel for the Petitioner submitted that there are certain legitimate dues of the Petitioner which are pending. The learned Addl. Government Advocate states that ascertainment of the legitimate dues payable is under process. All that we observe is that if the Petitioner is entitled to certain dues or payment as per law, the same shall be disbursed to the Petitioner as early as possible.

4. Writ Petition is accordingly disposed of.

PRITHVIRAJ K. CHAVAN, J.

N. M. JAMDAR, J.