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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 5406 OF 2018**

Pranali Vetal

.....Petitioner

V/s.

Chief Executive Officer Zilla Parishad
and others

.....Respondents

Mr. Shubham Kaushal i/b Ms. Bhavana H. Mhatre for the Petitioner
Mr. A. I. Patel Addl GP for the Respondent State**CORAM : R. M. SAVANT &
NITIN W. SAMBRE, JJ.****DATE : 31st OCTOBER, 2018.****P.C.**

The Petitioner by way of the above Petition seeks to challenge the order passed by the Respondents Exhibit 'T' dated 10/08/2017 rejecting the Petitioner's application for transfer for the reasons mentioned in the said communication. The Petitioner holds a degree of B.A.M.S. and is presently working as Medical Officer in the the National Rural Health Mission which is the scheme of the Central Government which is being implemented by the State Government.

The Petitioner is concerned with the scheme known as 'Rashtriya Bal Swasthya Karyakram' which is an initiative of the State Government to protect and promote child health. The Petitioner seeks her transfer to Pune where her husband is a teacher in a School of the Municipal Corporation, Pune.

2 An affidavit-in-reply has been filed on behalf of the Respondents wherein it is stated that the Petitioner does not have any such right to seek transfer to Pune. It is further stated that steps are being taken to streamline the process in respect of Medical Officers who have been appointed on contractual basis in the National Health Mission and a Committee has been constituted of the Secretaries of the Government headed by the Principal Secretary, Department of Health Services which Committee would go into the various aspects of the conditions of service of Medical Officers who are appointed on contract basis.

3 The Petitioner has made number of applications for being transferred to Pune. In the absence of any right being vested in the

Petitioner by virtue of any scheme of the State Government, as the policy framed has been kept in abeyance in view of the fact that the same did not have the necessary approval of the State Government, the action of the State Government rejecting the application of the Petitioner for transfer vide impugned communication cannot be faulted with. However, we are of the view that since the Petitioner has made number of representations to the State Government, in the eventuality a policy for transfer is evolved, then the Petitioner's case may be considered on the anvil of the said policy so that the Petitioner and her husband can be together.

4 With the directions as aforesaid, the Writ Petition is disposed of.

[NITIN W. SAMBRE, J.]

[R. M. SAVANT, J.]