

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3130 OF 2017

[Shri Kakaji Narayan Ramteke and others .vs. State of Maharashtra and others]
with

WRIT PETITION NO.3129 OF 2017

[Ku. Priti Tulshidas Koche and others .vs. State of Maharashtra and others]
with

WRIT PETITION NO.3138 OF 2017

[Shri Shuddhodhan Prabhuji Borkar and others .vs. State of Maharashtra and others]
with

WRIT PETITION NO.3140 OF 2017

[Smt. Devlabai Dashrath Girhepunje and others .vs. State of Maharashtra and others]
with

WRIT PETITION NO.3145 OF 2017

[Shri Dudhram Harichand Thomre and others .vs. State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Vaidya, counsel h/f Shri A. Parchure, counsel for the petitioners,
Mrs. K.S. Joshi, AGP for respondent nos.1 and 3,
Shri H.N. Verma, counsel for respondent no.2 & other Zilla Parishads,
Shri PD. Meghe, counsel for respondent no.9,
Shri A.Y. Kapgate, counsel for respondent no.10.

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : APRIL 03, 2018.

Since the issue involved in these writ petitions is identical and similar prayers are made therein, they are heard together and are decided by this common order.

By these writ petitions, the petitioners, who are working in different Zilla Parishads, have challenged the order of the Zilla Parishads cancelling the order of their transfer, dated 23.11.2016 transferring them from the respective Zilla Parishads, where they were working. The petitioners have also challenged the order/report of the Divisional Commissioner, dated 21.4.2017 cancelling the transfers of the petitioners from the respective Zilla Parishads.

It is stated on behalf of the parties that the issue involved in these writ petitions was also involved in a bunch of writ petitions bearing Writ Petition no.3065/2017 and others and this court has, by the order dated 31.7.2017, allowed the said writ petitions and has quashed and set aside the impugned orders dated 21.4.2017 and 3.5.2017. It is stated that a similar order could be passed in these writ petitions, on parity.

We have perused the order dated 31.7.2017 in the bunch of writ petitions bearing Writ Petition No.3065/2017 and we find that the issue involved in those cases is similar to the issue involved in these writ petitions. It would be necessary to pass a similar order in these writ petitions, on parity.

Hence, for the reasons aforesaid and also for the reasons recorded in the order, dated 31.7.2017 in Writ Petition No.3065/2017 and others, the writ petitions are allowed. The impugned orders dated 21.4.2017 and 3.5.2017 are hereby quashed and set aside. The respondents are free to take appropriate action against the petitioners in accordance with law. Order accordingly. No costs. The issue pertaining to the non payment of salary of the petitioners for two months is kept open.

JUDGE

JUDGE