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IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
MISCELLANEOUS CIVIL APPLICATION NO. 1159/2017
IN
WRIT PETITION NO. 3493/2017
(Pramod Yadavrao Sirsikar vs. The Chairman, LIC of India and others)

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

Court's or Judge's order

Mr.S.P. Kshirsagar, Adv.for applicant/petitioner
Mr. PN. Kothari, Adv.for respondents 1,2 and 3

CORAM : B.P. DHARMADHIKARI &
ARUN D.UPADHYE , JJ.
DATED : 12th January, 2018.

Because of contention that Clauses 7 and 9 in the Circular dated 22.10.2016 regulating transfers were overlooked, we issued notice. Accordingly, review applicant (original petitioner) has filed his written note of arguments. We have heard arguments of respondents orally and thereafter orally of the counsel for review applicant.

2. Clause 7 is about transfer to Marketing side. In order passed by us disposing of the Writ Petition, we have looked into Clause 13. There is no inconsistency between the two provisions.

3. Clause 9 contains grievance redressal mechanism. The grievance of petitioner was already looked into by respondents and accordingly a decision dated 8.8.2017 thereupon, was placed before this Court in Writ Petition as part of written submission.

4. Various instances of transfers are relied upon to urge how

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the transfer rules have been or transfer policy has been implemented.

5. The previous orders of transfer, again, do not support submission being advanced before us.

6. We have taken note of a 2015 order by which the petitioner was transferred on Marketing side and he never objected to it.

7. During reply arguments, contention raised is, petitioner sought request transfer and he had opted for Nagpur or other three places in vicinity. He did not opt for Chandrapur.

8. The order of transfer impugned by petitioner in Writ Petition mentions that transfer of petitioner is on request. However, the policy decision expressly stipulates that in case transfer is not possible transfer is to be treated as an administrative transfer.

9. In this situation, we do not find any case made out warranting intervention in review jurisdiction.

10. We also wish to place on record that there cannot be fresh consideration of entire controversy again, in review jurisdiction. Hence rejected. No costs.

JUDGE

JUDGE

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