

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

WRIT PETITION NO.3572 OF 2019

SHANKAR BHIKAJI BORUDE
VERSUS
AHMEDNAGAR EDUCATION SOCIETY VISHRAM BAUG THROUGH GENERAL
SECRETARY AND OTHERS

Mr.L.V.Sangeet, Advocate for the petitioner
Mrs.R.P.Gaur, AGP for the respondents/State

**CORAM : PRASANNA B. VARALE &
NITIN.W.SAMBRE, JJ.**

DATED : 14.03.2019

P.C. :-

. Heard learned counsel for the petitioner.

2. The petitioner challenges the order dated 24.01.2019 effecting transfer of the petitioner who is working on the post of Senior Clerk from a school to another school. Facts brought on record in the petition are, the petitioner was relieved from earlier school. Relieving order dated 28.01.2019 is also placed on record. The petitioner joined another school wherein he was transferred on 29.01.2019. All these facts clearly show that the transfer order is accepted by the petitioner. Though the learned counsel made an attempt to submit before us that while joining the duties with

school petitioner lodged protest. This could not find any protest letter in the joining report. Then it was submitted that protest was orally lodged. This clearly shows that stand of the petitioner is after thought. Once the petitioner joined the duties at transferred place the principle of acquiescence would come in play and all other grounds raised would be of only academic relevance.

3. Due to paucity of time, we are not inclined to entertain the petition only for discussing the academic scope of the provision of the MEPS Act. Resultantly, in our opinion the petition thus being meritless deserves to be dismissed, and accordingly the same is dismissed at the threshold.

[NITIN.W.SAMBRE, J.]

[PRASANNA B. VARALE, J.]