

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

WRIT PETITION NO. 3211 OF 2018

Devidas Ambadas Gire

.. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri V. P. Latange, Advocate for the Petitioner.

Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1 and 2.

Shri V. P. Deshmukh, Advocate for the Respondent No. 3 –
absent.

Shri S. S. Manale, Advocate for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 22ND JULY, 2019.

FINAL ORDER :

. The petitioner seeks directions against the respondents to consider the claim of the petitioner in view of the Government Resolution dated 29.09.2011. The petitioner seeks transfer from Zilla Parishad Jalna to Zilla Parishad Latur on the post of Parichar (Class – IV) from N.T.-C category.

2. The respondent No. 4/Zilla Parishad has filed affidavit to the effect that, as per G. R. dated 05.05.2016, the Government had decided to reduce 25% of existing posts from Class IV

category. In N.T.-C category there are only three posts vacant. There is no post available to be filled in from direct recruitment in the cadre of Parichar in Zilla Parishad, Latur. As such the petitioner cannot be transferred to the Zilla Parishad, Latur.

3. The petitioner has filed rejoinder to the effect that, the respondent No. 4 has not reduced the posts. On the contrary has appointed five new persons as Parichar and they are given appointments on 31.05.2016.

4. It would be appropriate for the petitioner to approach the Divisional Commissioner. If the petitioner approaches the Divisional Commissioner, Aurangabad, the Divisional Commissioner shall call for say of both the Zilla Parishads and thereafter take decision upon application of the petitioner, expeditiously and preferably within a period of six (06) months from the date of application made by the petitioner.

5. In view of the above, the writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]