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

CONTEMPT PETITION NO.234 OF 2019 IN  
WRIT PETITION NO.964 OF 2019

Archana Shriram Jadhav ... PETITIONER

**VERSUS**

The State of Maharashtra & ors. ... RESPONDENTS

.....  
Mrs. M.D. Thube, Advocate for petitioner  
Shri V.S. Badakh, A.G.P. for State  
Shri S.T. Mundhe, Advocate for respondents No.3 to 5  
.....

CORAM: PRASANNA B. VARALE AND  
R.G. AVACHAT, JJ.

DATED : 18th JULY, 2019.

ORAL ORDER :

Heard learned counsel for the petitioner. In response to simple notice issued to respondents No.2 and 3 by order dated 2.4.2019, affidavit-in-reply is filed on behalf of the Chief Executive Officer, Zilla Parishad, Aurangabad. Learned counsel appearing for the Chief Executive Officer, Zilla Parishad, Aurangabad invited our attention to the orders placed on record along with the affidavit-in-reply. It was submitted by the learned counsel that, the representation is now decided. The petitioner was informed by communication dated 1.4.2019 that due to the operation of Code of Conduct at the relevant time, the request for transfer could not be considered, but the same would be considered at the time of

general transfers. It is also submitted by the learned counsel that there is delay in decision, but the delay caused is due to the administrative difficulties and there was no intention to act in defiance of the order of this Court.

2. Learned counsel for the petitioner submitted that subsequently the petitioner is again transferred at such a place which was beyond her request and by giving a go-bye to the policy of couple convenience, the petitioner was transferred to another place, causing a disturbance and difficulty to the petitioner so as to attend the family.

3. Considering the fact that the representation is decided by the respondent authority, it can safely be said that the order is now complied with. Learned counsel appearing for the Zilla Parishad also submitted the reasons for the delay. We are satisfied that the delay occurred was unintentional and for the administrative difficulties. Needless to state that, if the petitioner is aggrieved by the subsequent order of transfer, the petitioner may avail appropriate remedy in challenge to the order by approaching the competent forum including judicial forum. With these observations, the petition is disposed of.

(R.G. AVACHAT)  
JUDGE

(PRASANNA B. VARALE)  
JUDGE

fmp/-