

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5740 OF 2018

Sandeep S/o Trimbak Jadhav and Anr. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. S.S. Thombre, Advocate for Petitioners
Mr. S.K. Tambe, Assistant Government Pleader for
Respondent Nos. 1 and 2
Mr. S.B. Ghute, Advocate for Respondent Nos. 3 to 5

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 11th APRIL, 2019

ORAL ORDER:

1. The petitioner No. 1 was transferred from ZPPSA Zopadpatti, Jalgaon Feran, Aurangabad to ZPUPS Adgaon (Jawale), Paithan under transfer order dated 28.05.2018 and petitioner No. 2 was transferred from ZPUPSA Dudhad, Aurangabad to ZPUPSA Nagonyachiwadi, Auangabad (Page 32, 33).

2. It is the contention of the petitioners that after these transfer orders were issued, the petitioners joined at the transferred place. However, under oral directions, the petitioners were again transferred and petitioner No. 1 was directed to join at Jambuli Jahangir, Kannad and petitioner No. 2 at Chikatgaon. According to the petitioners, these were under oral orders and the petitioners

were required to join at the places as per the oral orders. The learned Counsel for the Zilla Parishad accepts that after the transfer orders were issued to the petitioners on 28.05.2018, under the oral orders, they were directed to join at the other places as mentioned by the petitioners.

3. We fail to understand as to how the written orders of transfer could be changed by the oral orders.

4. The petitioners have already joined at the places, where they were directed to join. One year has also lapsed.

5. It is submitted that the petitioners also approached the Chief Executive Officer, Zilla Parishad, Aurangabad in this regard. Considering the aforesaid facts, the Chief Executive Officer shall consider the representation of the petitioners at the time of general transfers to be effectuated for the year 2019-2020.

6. Considering the peculiar facts of the case, the respondents may not turn down the proposal of the petitioners on the ground of locking period.

7. The Writ Petition is disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE