

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10089 OF 2019

VISHAL VASANT BHOSALE

...PETITIONER

VERSUS

THE STATE OF MAHARASHTRA
AND ANOTHER

...RESPONDENTS

Mr. C.K. Shinde, Advocate for Petitioner
Mr. S.B. Narwade, AGP for Respondents-State
Mr. M.N. Navandar, Advocate for Respondent No. 2

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 19th SEPTEMBER, 2019

ORAL ORDER:

1. The petitioner is transferred after six years. Mr. Shinde, the learned Counsel for the petitioner submits that the procedure has not been followed by the respondents. There are other persons, who have completed more than six years but are stationed at one place. The petitioner is not given an opportunity to give his choice of place.
2. Mr. Navandar, the learned Counsel for the respondent No. 2 submits that the petitioner has completed two tenures at one place.

As such, he was liable for transfer. The option is available only to those who have completed service of 10 years and more at one place.

3. The Circular relied by both the parties suggests that those who have worked for 10 years or more on one post, are entitled to give the choice of the place of transfer. The petitioner has completed 6 years only.

4. The petitioner says that he is transferred at the distance of 260 kilometers.

5. The petitioner may make an application with the respondents for accommodating at some nearby place.

6. The respondents may consider the application filed by the petitioner on its own merits.

7. The writ petition is accordingly disposed of. No costs.

[ANIL S.KILOR]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

mta