

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

1048 WRIT PETITION NO.12076 OF 2018

**KAPILDEV SHIVAJIRAO SONTAKE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Ajinkya Kale h/f. Mr. Talekar S.B. and
Talekar and Associates

AGP for Respondent: Mr. K.N. Lokhande

Advocate for Respondent No. 5 : Mr. Syed Parvez h/f. Mr. Pulkundwar
Santosh B.

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

DATE : 16/08/2019

PER COURT :

1. We have heard the learned counsel for the petitioner. The learned counsel submits that there is change in policy pursuant to the Government Resolution dated 15.05.2019. The petitioner is seeking Inter Departmental Transfer. The said transfer was governed by the Government Resolution dated 03.06.2011. The Additional Commissioner, Tribal Development Department, Thane, issued NOC in favour of petitioner, address to the CEO, Zilla Parishad, Nanded under letter dated 13.06.2013 for transfer on the ground of 'Couple Convenience/Request Transfer. The petitioner filed various representation but the cognizance has not been taken.

2. The learned counsel submits that the representations are given on 21.05.2018, 22.05.2018 and consequently thereafter cognizance is not taken.

3. We have heard learned A.G.P so also learned counsel for Zilla Parishad.

4. Considering the fact that the representation of the petitioner is pending with respondent No. 5, we pass the following order:-

ORDER

The respondent No. 5 shall take decision upon the representations of the petitioner (page 29) on its own merits and shall also consider the Government Resolution dated 15.05.2019 relied by the petitioner, on its own merits and in accordance with law. The decision shall be taken preferably within 1 month.

5. Writ petition is disposed of. No costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)