

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11845 OF 2019

PRATIBHA BALWANTRAO KELGIRE

...PETITIONER

VERSUS

THE STATE OF MAHARASHTRA
AND OTHERS

...RESPONDENTS

Mr. S.B.Sontakke, Advocate for Petitioner :
Mr. S.K. Tambe, AGP for Respondent-State
Mr. S.B. Pulkundwar, Advocate for Respondent Nos. 2 and 4

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

DATE : 26th SEPTEMBER, 2019

ORAL ORDER:

1. Mr. Sontakke, the learned Counsel for the petitioner submits that in the year 2017, the petitioner is transferred from Nandurbar to Nanded and within two years, she is again transferred back to Nandurbar. The learned Counsel submits that the same is not in consonance with the Corrigendum dated 27th February, 2019. The learned Counsel submits that lock-in-period of three years is provided as per Government Resolution dated 28th May, 2019. The petitioner could not have been transferred through three years during the locking period.

2. Under the Government Resolution dated 28th May, 2019, the person, who is aggrieved by the order of transfer, can make an application to the Chief Executive Officer and if she is aggrieved by the order of Chief Executive Officer can file appeal to the Commissioner.

3. It appears that the petitioner has approached the Commissioner. The petitioner may file an application with the Chief Executive Officer, Zilla Parishad. The Chief Executive Officer, Zilla Parishad shall take decision upon the application filed by the petitioner within a period of 7 days from the date of receipt of the application.

4. The learned Counsel submits that the petitioner is not yet relieved. If the petitioner is not yet relieved, then the petitioner may not be relieved till the decision taken by the Chief Executive Officer on the application of the petitioner.

5. The writ petition is disposed of. No costs.

[ANIL S.KILOR]
JUDGE

[S.V.GANGAPURWALA]
JUDGE