

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

WRIT PETITION NO.365 OF 2019

**MANIK CHHAGAN PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.Yogesh B. Bolkar, Advocate for the petitioner
Mr.S.S.Dande, AGP for the respondent/State

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 11.01.2019

P.C. :-

. Heard learned counsel for the petitioner.

2. Limited grievance is raised in the petition. The facts which are not in dispute that the petitioner is an employee of the Zilla Parishad, Jalgaon. The petitioner is subjected to transfer order dated 25.05.2017 whereby the petitioner who was working as Village Development Officer at Lasur, Tq. Chopda, Dist. Jalgaon. Petitioner is transferred to Dhanora. Reason for transfer is administrative exigency.

3. Learned counsel invited our attention to the Government Resolution dated 15.05.2014 in

respect of transfers of employees of Zilla Parishad in the category of "C" and "D" (Class III and IV). A specific reliance was placed on record on clause-3 (Kha) of the annexure to the Government Resolution to submit that it is the policy of the State Government that those employees completing 53 years of age may not be subjected to transfer, and these transfers be effected on the grounds of request of those employees. The petitioner submitted a representation to the Block Development Officer (Higher Scale) Panchayat Samiti, Chopda with a copy to the Deputy Chief Executive Officer dated 20.12.2017. As there was no response, the petitioner submitted an appeal before the Divisional Commissioner, Nashik Division, Nashik on 11.04.2018 and the appeal preferred by the petitioner is pending before the Divisional Commissioner, Nashik Division, Nashik for decision.

4. In view of this fact, in our opinion the petition can be safely disposed of by issuing directions to respondent No.2 the Divisional Commissioner, Nashik Division, Nashik to decide the appeal preferred by the petitioner dated 11.04.2018 as expeditiously as possible and not later than 8

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weeks from the date of receipt of this order.

5. With this direction, the petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]