

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

PUBLIC INTEREST LITIGATION NO. 53 OF 2019

Ketan Tirodkar

... Petitioner.

V/s.

State of Maharashtra

... Respondent.

None for the Petitioner.

Mr. P.P. Kakade, GP a/w. Nisha Mehra, AGP for the State.

***CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.***

DATE : 20 JUNE 2019.

P.C. :-

This is a Public Interest Litigation challenging the administrative order issued by the Home Department, Government of Maharashtra on 23 September 2015 transferring Mr. Ahmed Javed, working as Director General, Home Guards as Commissioner of Police, Mumbai and simultaneously transferring Mr. Rakesh Maria, Commissioner of Police Mumbai as Director General, Home Guards.

2. A Public Interest Litigation would not be maintainable challenging a departmental administrative order concerning transfers/postings of Government Servants.

3. That apart, the Petitioner effectively prays that since the Commissioner of Police, Mumbai does not report to the Director General of Police, probably said office would be higher in status to that of the Director General, Home Guards. On what basis said inference is drawn ? Nothing has been pleaded. Assuming it to be true, it hardly matters who should function as the Director General of the Home Guards, or who should function as the Director General of a Department of the Police or who should function as the Commissioner of Police of Mumbai. This is within the domain of the Home Department. It is not the case pleaded that the two officers are not qualified as per the extant rules to be posted where they have been posted. The Petition is dismissed.

N.M. JAMDAR, J.

CHIEF JUSTICE