

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14229 OF 2018

Mr.Devkumar Pandurang Jadhav ... Petitioner

Vs

State of Maharashtra through Secretary,
Rural Development and Water Conservation
Department and Ors. ... Respondents

WITH
WRIT PETITION NO.14230 OF 2018

Mr.Yashwant Supadu Bhamare ... Petitioner

Vs

State of Maharashtra through Secretary,
Rural Development and Water Conservation
Department and Ors. ... Respondents

WITH
WRIT PETITION NO.14231 OF 2018

Mr.Chandrakant Raghunath Lahange ... Petitioner

Vs

State of Maharashtra through Secretary,
Rural Development and Water Conservation
Department and Ors. ... Respondents

WITH
WRIT PETITION NO.14232 OF 2018

Mr.Mangesh Vishwanth Wagh

... Petitioner

Vs

State of Maharashtra through Secretary,
Rural Development and Water Conservation
Department and Ors.

... Respondents

Mr.Pradeep S. Gole for the Petitioner in all Writ Petitions.

Mr.Kalpesh Patil for Intervener in all Writ Petitions.

Mrs.Malhotra for Respondent No.3 in all Writ Petitions.

Mr.S.B. Kalel, AGP for State in Writ Petition Nos.14229 of 2018
and 14230 of 2018.

Mrs.Rupali Shinde, AGP for State in Writ Petition Nos.14231 of
2018 and 14232 of 2018.

**CORAM : S.C. DHARMADHIKARI &
M.S. KARNIK, JJ.**

FRIDAY, 25th JANUARY, 2019

P.C. :

1 We have heard both sides. We have also called upon
Mrs.Malhotra appearing for the Zilla Parishad to inform us as to
how the petitioners have been displaced, when they are aggrieved
by the act of the teachers who have misled the Court. They have

not placed true and correct facts and yet sought a stay against their transfer, which was granted.

2 We do not wish to go into this controversy for the simple reason that the Zilla Parishad says that it has acted in terms of an ad-interim order passed by this Court in the writ petitions of the other teachers. Resultantly, they were accommodated and in terms of that order. It may be that because of the orders of this Court, parties like the petitioners have been displaced or came to be transferred. On the other hand, the Zilla Parishad says that some of the petitioners have not joined and reported to at their transferred posts.

3 In the circumstances and when there is a mess created, which is entirely because of the policies of the Zilla Parishad, it is for the statutory authorities and the State Government to evolve and implement a proper transfer policy. For the present and because of the inconvenience caused to them, some of the petitioners have not reported for the duties at the transferred place, but are retained or continuing in the existing posts. They are at liberty to make a fresh representation against

their postings on transfer. In the event such representation is made to the Chief Executive Officer, he shall consider it sympathetically and without being influenced by the outcome of the other petitions or the instant petitions. All contentions in relation to the postings and transfer of the present petitioners are kept open. Each of these petitions are disposed of with liberty as prayed.

[M.S.KARNIK, J.]

[S.C.DHARMADHIKARI, J.]