

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (W) No.837/2019
in Writ Petition No.8254/2018
(Rajendra Arjun Ranit Vs. Zilla Parishad, Amravati and others)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri P.S.Patil, Advocate, for petitioner/non applicant.
Shri M.G.Rathi, Advocate for respondents/applicants.

**CORAM : SUNIL B. SHUKRE and
S.M.MODAK, JJ.**

DATE : 05.04.2019

Affidavit filed on behalf of Zilla Parishad,
Amravati, is taken on record.

We have heard Shri Rathi, learned counsel for
Zilla Parishad, Amravati and Shri P.S.Patil, learned counsel
for petitioner.

On going through the affidavit, we are satisfied
that the transfer policy was not applicable to the petitioner
during the period of his initial posting at Dharni as he was
then Mechanic in the capacity of Converted Regular
Temporary Establishment (CRTE) employee. Therefore,
we find that the third reason which we had mentioned in
earlier order passed on 18.02.2019 requesting the learned
Principal Secretary to initiate appropriate departmental
action against the Chief Executive Officer, Zilla Parishad,
Amravati, no longer exists. We are now of the opinion that
the Chief Executive Officer cannot be found fault with for
non observations of transfer guidelines.

There is one more reason for us to say so and it is that now the petitioner has been transferred from Dharni and posted to Dhamangaon (Railway) which is a place of his choice. With such transfer, the root cause of injustice has also been removed and as such, we do not see any propriety to proceed further in the matter.

Accordingly, we hold that there is, now, no non compliance with the transfer policy on the part of the respondent no.1 and as such, there is no need to proceed against him departmentally.

The civil application stands disposed of.

Copy of order be communicated to the learned Principal Secretary for its record and for doing the needful in the matter.

Civil Application (W) No.573/2019

This application does not survive in view of order passed by this Court on Civil Application No.837/2019 and it is disposed of as such.

JUDGE

JUDGE