

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

WRIT PETITION NO. 9876 OF 2019

Ambadas Jagannath Bhagat

.. Petitioner

Versus

The State of Maharashtra and another

.. Respondents

Mr. S. S. Thombre, Advocate for the Petitioner.

Mrs. M. A. Deshpande, AGP for Respondent No. 1.

Mr. Manish N. Navandar, Advocate for Respondent No. 2.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 29th JANUARY, 2020.

PER COURT:-

. We have heard Mr. Thombre, learned counsel for the petitioner and Mr. Navandar, learned counsel for respondent No. 2. We have gone through the record. Shorn of details the facts necessary for decision as can be culled out are that the petitioner is working as a Assistant Engineer (Civil) at Rahuri campus since 06.08.2016. Under the impugned order the petitioner is transferred at Muktainagar. The transfer does not appear a mid tenure transfer though it can be said to be a mid term transfer.

2. We are not going into the said aspect at this stage. Affidavit is filed by the respondent No. 2. In the affidavit it is stated that under Dhule Division there is a creation of new college of agriculture at Muktainagar and mass construction work is going on and in view of

that the petitioner is transferred under Dhule Division. Considering the exigency and the urgency, the university was required to pull down the services of the petitioner from Rahuri to Dhule Division by way of transfer. It is further stated in the affidavit that transfer of the petitioner is not of permanent nature, but the same is for temporary period.

3. The transfer order was issued almost six months back and there is interim order operating since 07.08.2019. As per the respondents the petitioner was relieved on 01.08.2019 but because of the interim order he did not join.

4. Considering the affidavit filed by the respondent No. 2, the respondents shall reconsider the order of transfer of the petitioner. The authorities shall consider all the relevant aspects of the matter. Till the decision is taken afresh by the authorities with regard to the transfer of the petitioner, the interim orders passed by this Court shall continue. The petitioner may bring to the notice of the respondents his stand. The decision shall be taken on or before 30.04.2020.

5. Writ petition accordingly is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

RS.B.