

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

WRIT PETITION NO. 8713 OF 2021

Sunil Laxman Ingle .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

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

Shri S. G. Karlekar, A.G.P. for the Respondent No. 1.

Shri Prashant R. Nangare, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.**

DATE : 10TH AUGUST, 2021.

FINAL ORDER :

. We have heard Mr. Thombre, the learned advocate for the petitioner. The learned advocate submits that, reliance is placed on the Government Resolution dated 09.07.2021 while transferring the petitioner. The said Government Resolution is not applicable to the employees of the Zilla Parishad. The same is applicable only to the Government employees. The petitioner is governed by the G. R. dated 15th May, 2014. The schedule is prescribed for effectuating the transfers of employees. All these aspects are not considered. According to the learned advocate, the said transfer is not pursuant to the Government Resolution dated 15th May, 2014, as such, he may not be relegated to the Divisional Commissioner. Mr. Thombre, the learned advocate further submits that, the petitioner is not yet relieved.

2. Mr. Nangare, the learned advocate for the Zilla Parishad submits that, the Zilla Parishad has received letter from the State for effectuating the transfers. Accordingly process was commenced. Counseling was held on 29th July, 2021.

3. We have also heard the learned Assistant Government Pleader for respondent/State.

4. Undisputedly, the petitioner is an employee of the Zilla Parishad. If an employee feels that there is an illegality in transfer, then it is the Divisional Commissioner, who can look into the same as per G. R. dated 15th May, 2014.

5. In the light of the above, we have not considered the petition on merits. The petitioner is at liberty to avail the alternate remedy. In that event all contentions are kept open.

6. The writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Aug. 21