

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

WRIT PETITION NO. 578 OF 2021

Vaishali Vikas Hinge

.. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Ms. Vaishali B. Suryawanshi, Advocate for the Petitioner.
Shri S. K. Tambe, A.G.P. for Respondent Nos. 1 and 2.

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

DATE : 14TH JANUARY, 2021.

FINAL ORDER :

1. Miss Suryawanshi, the learned counsel for the petitioner strenuously contends that, the transfer of the petitioner is mid-term and mid-tenure. The same is not in consonance with the procedure provided under the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. The learned counsel further submits that, the transfer of the petitioner is punitive in nature. If the transfer is punitive, the procedure has to be followed. The transfer would operate by way of punishment. The transfer order is made on the ground of irregularities. No such irregularities are pointed out. The Tribunal ought to have considered all these aspects in its correct perspective.

2. We have also heard the learned Assistant Government

Pleader for respondents.

3. It is accepted that, the petitioner has already joined at the transferred place after the petitioner is relieved as Tahsildar Jalgaon. As the petitioner is already relieved from her post at Jalgaon and the petitioner has joined at Nandurbar that is at the transferred place, it would be inappropriate to consider the petition for interim relief, more particularly when the Tribunal has negatived the same. The Tribunal has fixed the matter for final disposal. The petitioner may agitate all the grounds at the time of final disposal of the original application. In that regard all contentions of the petitioner are kept open.

4. In the light of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Jan. 21