

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

WRIT PETITION NO.976/2021

Shri Shailesh Narayan Mahajan Petitioner

Vs.

Maharashtra State Electricity
Distribution Company Ltd. and Ors. Respondents

Mr.P.N.Joshi i/b Mr.Nikhil M. Pujari for the Petitioner

Ms.A.R.S.Baxi for the Respondent nos.1 to 3

Mr.V.S.Gokhale, 'B' Panel Counsel for the State

**CORAM: K.K.TATED &
N.R.BORKAR, JJ.**

**DATED : MAY 04, 2021
(VIDEO CONFERENCING)**

P.C.

. Heard.

2. By this petition, under Article 226 of the Constitution of India, Petitioner is challenging the transfer orders dated 29.10.2010 and 29.12.2020 issued by the Respondent directing Petitioner to join the Dhule Circle, Jalgaon Zone.

3. It is the case of the Petitioner that earlier Petitioner was transferred in Nashik Zone by Transfer Order dated 06.10.2020 and thereafter, immediately to appoint some other officers, they issued another Transfer Order dated

29.10.2020 i.e. Exhibit 'G' at page 29 transferring the Petitioner in Ahmednagar Circle, Nashik Zone. Thereafter, on the ground of administrative reasons by transfer order No.41957 dated 29.12.2020 posted Mr.Pradeep Radhesham Sawant in Ahmednagar Circle and to Petitioner by transfer order No.41960 dated 29th December, 2020 in Jalgaon Zone.

4. The learned counsel for the Petitioner submits that initially Petitioner made his representation dated 09.11.2020 with Director (HR) MSEDCL, Corporate Office, Mumbai in respect of Transfer Order but same was not considered.

5. The learned counsel for the Petitioner submits that as per his knowledge, the post at Eklahare, District Nashik is available where Petitioner is ready and willing to work. He submits that in the interest of justice, this Hon'ble Court be pleased to permit the Petitioner to make appropriate representation to the Respondent in respect of his transfer order within one week from today and direct the Respondents to decide the same on its own merits as early as possible but in any case, within four weeks from the receipt of the said Application and communicate their decision to the Petitioner.

6. Considering the submissions made by the learned counsel for the Petitioner and the issue involved in the present matter, in the interest of justice, Petitioner can be permitted to make appropriate representation to the Respondents in respect of transfer order and that be

decided by the Respondents on its own merits. Hence, the following order is passed:

- a. Petitioner is permitted to file fresh representation with the Respondent authority within one week from today in respect of his transfer order dated 29.12.2020 and same be decided by the authority as early as possible but in any case, within four weeks from the receipt of the said representation and communicate their decision to the Petitioner in writing.
- b. All contentions of both the parties are kept open.
- c. Writ Petition stands disposed of accordingly.
- d. No order as to costs.

(N.R.BORKAR, J.)

(K.K.TATED, J.)