

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

WRIT PETITION NO.1477 OF 2021

(Umesh s/o. Udal Verma .vs. State of Maharashtra, through its Principal Secretary (Forest),
Revenue and Forest Department, Mumbai and Others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

**CORAM : SUNIL B. SHUKRE &
AVINASH G. GHAROTE, JJ.**

DATE : 25.3.2021.

1. Heard Mr.A.B.Moon, learned Counsel for the petitioner and Mr.Amit Madiwale, learned Assistant Government Pleader for respondent nos. 1 to 3. The hearing was conducted through Video Conferencing and the learned Counsel for the respective parties agreed that the audio and visual quality was proper.

2. The petitioner has challenged his transfer order before the Central Administrative Tribunal, Mumbai. Therefore, we do not think that the grievance, as expressed by the petitioner as regards the transfer order, can be entertained by this Court and therefore, the challenge raised by the petitioner, to this extent, is rejected. About the other grievance of the petitioner that under Section 13(2) of the Sexual Harassment of the Women at the Work Place (Prevention, Prohibition and Redressal) Act, 2013 (for short "***the Act of 2013***"), no recommendation against the employee can be made by the Internal Committee to the employer if the Internal

Committee arrives at the conclusion that sexual harassment against the employee has not been proved in the present case, it is submitted that the allegation of sexual harassment has not been proved against the petitioner herein and that is the opinion of the Internal Committee. So, according to the learned Counsel for the petitioner, no recommendation as regards administering warning upon the petitioner and his transfer elsewhere could have been made by the Internal Committee and could have been acted upon by the respondents.

3. About the next grievance, we are of the view that the appeal remedy being available in terms of Section 18 of the Act of 2013, it would be appropriate for the petitioner to pursue the same in accordance with law. Therefore, this petition is rejected as not being maintainable.

JUDGE

JUDGE

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