

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

Writ Petition No. 3406 of 2020

Vibha Namdeorao Rokade

...Petitioner

Versus

The State of Maharashtra, through its Secretary Ministry
of Water Resource Department, Mantralaya, Mumbai-
32 and others

...Respondents

Shri Ankush M. Tirukh, Advocate for the Petitioner.

Mrs. K. R. Deshpande, AGP for the Respondent - State

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 08 FEBRUARY 2021

P.C.:

Heard learned Counsel for the parties.

2. The Petitioner, who is working as Laboratory Assistant at Thadegaon, Tahsil Babhulgaon, District Yavatmal under the supervision of Respondent No.3, had challenged the order of transfer dated 30 July 2020 and also transfer of Respondent No.6 dated 04 August 2020 before the Maharashtra Administrative Tribunal.

3. The Maharashtra Administrative Tribunal by order dated 3 September 2020 disposed of the Original Application, directing the Sub-

Divisional Officer, Akola to allow the Applicant/Petitioner to resume duties and the Petitioner was permitted to make a representation for a convenient post. Instead of making a representation, the Petitioner has filed this Petition.

4. The Petitioner relied upon the Government Resolution dated 9 April 2018 regulating transfers on the ground of personal difficulties of the employees. The Maharashtra Administrative Tribunal therefore, rightly directed the Petitioner to first make a representation to the employee on the ground of personal difficulty and for seeking convenient post. In these circumstances, we do not find any error in the view taken by the Maharashtra Administrative Tribunal. Had the Petitioner made the representation instead of filing the Writ Petition, it would have been decided by now.

5. We dispose of the Writ Petition, observing that if the Petitioner makes a representation within a period of three weeks from today, the concerned authority will dispose of the same within a period of three weeks thereof on its own merits.

6. The Writ Petition is accordingly disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]