

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

906 WRIT PETITION NO.11692 OF 2021

**RAOSAHEB SHANKAR FUGARE
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

Mr. P. V. Barde, Advocate for the applicant
Mr. P. K. Lakhotiya, AGP for respondent Nos. 1 to 3
Mr. P. P. Kothari, Advocate for respondent Nos. 4 and 5
Mr. D. R. Jethliya, Advocate for respondent No. 6.

**CORAM : RAVINDRA V. GHUGE &
S. G. DIGE, JJ.**

DATED : 21st April, 2022

PER COURT :-

1. By this petition, the petitioner has put forth prayer clauses 'A', 'B' and 'C' as under:-

"A) By issuing appropriate writ, order, direction or any other appropriate order in nature of writ, Hon'ble High Court may be pleased to quash and set aside the communication dated 08.04.2021 issued by Deputy Commissioner, Nashik Division, Nashik.

B) By issuing appropriate writ, order, direction or any other appropriate order in nature of writ, Hon'ble High Court may be pleased to direct respondent to grant permission for transfer of petitioner as per proposal dated 05.03.2021.

C) Pending hearing and final disposal of writ petition Hon'ble High Court may be pleased to prohibit respondents to filing in the post of Assistant Account Officer of Panchayat Samiti, Rahuri which is vacant since long."

2. Today, the learned Advocate submits, on instructions from the petitioner that considering the fact that he himself has certain medical issues and his younger brother has met with an untimely accidental death, he has moved one more application on 24th March, 2022 as per the format annexure-A required by the department, detailing out his various assignments at various locations. He prays that he may be considered on sympathetic grounds for a transfer on request, either at Newasa or Ahmednagar which will bring him closer to his place of permanent residence in Rahuri Taluka.

3. The learned Advocate representing the Zilla Parishad submits, on instructions, that the Competent Authority has received the application of the petitioner dated 24th March, 2022 annexed to the communication by the Block Development Officer dated 24th March, 2022

addressed to the Chief Accountant and Finance Officer, Zilla Parishad Ahmednagar.

4. In view of the above, this petition is disposed off.

5. We expect respondent No. 4-Zilla Parishad Ahmednagar to consider the request of the petitioner on sympathetic grounds by following the due procedure and the policies applicable while considering applications for request transfers, in the general transfers which are scheduled in May/June 2022. A decision on the said request would be communicated to the petitioner expeditiously.

(S.G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)

ssp