

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11765 OF 2021

RAJENDRA LAXMAN KENDALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.P.B.Patil, Advocate for the petitioner.
Mr.P.K.Lakhotiya, AGP for respondent Nos. 1 to 4.
Mr.S.R.Dheple, Advocate for respondent No.5.
Mr.S.T.Shelke, Advocate for respondent Nos. 6 and 7.

(CORAM : RAVINDRA V. GHUGE AND
S.G. DIGE, JJ.)

DATE : APRIL 11, 2022

PER COURT :

1. Earlier the grievance of the petitioner was that he was in a tribal area as a “Lab Technician” in the Primary Health Center in Tal.Raver, Dist. Jalgaon from 1999 to 2004. Then he was working at village Pal, Tal. Raver, again in a tribal area. In 2017, he has been transferred on the post of **Lab Technical Laboratory Scientific Officer at Primary Health Center, Girad, Tal. Bhadgaon, Dist. Jalgaon**, which is a non tribal area. The petitioner’s grievance now is that he should be considered for inter district transfer by way of a permanent transfer from the Zilla Parishad, Jalgaon to the Zilla Parishad, Ahmednagar.

2. It is well settled that the writ cannot be issued in matters pertaining to public policy. The competent authorities have to deal with the issue of whether any candidate satisfies the conditions that are required for entertaining a transfer from one Zilla Parishad to another Zilla Parishad, which is known as the Inter District Zilla Parishad transfer.

3. In view of the above, the prayer of the petitioner that one post available with the Zilla Parishad, Ahmednagar, which is now to be filled in through public employment, should be kept vacant and he should be accommodated on the said post, would amount to interference with the policy of the State. We leave it to the respective Zilla Parishad's to deal with the said issue strictly in accordance with their policies.

4. This petition is disposed off.

(S.G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)