

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1188 OF 2021

(Prafulla Wamanrao Likhar, Wardha Vs. The Zilla Parishad, Wardha & Anr.)

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

Court's or Judge's orders.

Mr. P. S. Kshirsagar, Advocate for the petitioner.
Mrs. K.R. Deshpande, A.G.P. for respondent No.2/
State.

.....

**CORAM : A.S. CHANDURKAR &
PUSHPA V. GANEDIWALA, JJ.
JANUARY 31, 2022.**

Considering the nature of the order proposed to be passed, it is not necessary to issue notice to respondent No.1.

2] Rule. Rule made returnable forthwith and heard the learned counsel for the parties.

3] The petitioner is presently working as Assistant Teacher at Zilla Parishad, Wardha with Panchayat Samiti, Karanja, District Wardha, while his wife is serving at Zilla Parishad Primary School, Rohankheda (Kursoli Kendra), Panchayat Samiti, Hinganghat. Distance between the two places is 108 Kilometers, and hence, the petitioner had made representation praying that under the Unification Scheme, the petitioner be posted at a place near to the place where his wife was serving. Such representation is of dated 20/09/2020. Since the

representation of the petitioner have not been decided, he has approached this Court.

4] Considering the lapse of time in prosecuting this petition which was filed in January-2021, in our considered view, interest of justice would be served by permitting the petitioner to make a fresh representation addressed to the Chief Executive Officer, Zilla Parishad, Wardha to consider his request for transfer based on the Government Resolution dated 07/04/2021. If, within a period of fifteen days from today the petitioner makes such a representation, the Chief Executive Officer shall consider the same in accordance with the aforesaid Government Resolution and prevailing policy. The decision be taken in accordance with law within a period of three weeks from the receipt of the representation. The decision taken be communicated to the petitioner accordingly.

5] The petitioner shall serve a copy of this order on the Chief Executive Officer, Zilla Parishad, Wardha along with copy of representation.

6] The Writ Petition is allowed. Rule is disposed of with the aforesaid directions. No costs.

(JUDGE)

Sumit

(JUDGE)

Digitally signed by SUMIT CHETAN
AGRAWAL
Signing Date: 01.02.2022 11:56