

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

WRIT PETITION NO. 1458 OF 2020

Vrushali Arvind Rohankar

-Vs.-

Divisional Commissioner, Amravati and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.P.S.Patil, counsel for the petitioner.
Mr. S.S.Shinde, counsel for respondent No.1.
Mr.K.L.Dharmadhikari, AGP for respondent Nos.2 and 3.

CORAM : MANISH PITALE, J.

DATE : 12.04.2022

This Court issued notice in the present writ petition on 11/02/2022. By the present petition, the petitioner has challenged order dated 27/01/2020, passed by the Divisional Commissioner, whereby her appeal challenging an order of transfer was dismissed.

2. Despite the fact that there was no interim order passed by this Court in the present writ petition, it is an admitted position that the petitioner had continued in the earlier place of posting at Boraj, Panchayat Samiti Chandur Bazar.

3. The petitioner had in fact reported for duty in the transferred place of posting, in pursuance of the transfer order dated 03/08/2018, but since there was no post available, the petitioner could not join. In fact, this was the very reason why this Court in Writ Petition No.7665 of 2019, filed by the petitioner challenging an

order of rejection of stay application by the Divisional Commissioner in pending appeal, had granted interim relief in favour of the petitioner.

4. This Court is of the opinion that since the round of transfers for this year has commenced, and according to the petitioner, she has continued in service at Boraj, Panchayat Samiti Chandur Bazar, it would be in the interest of justice to dispose of the present writ petition by permitting the petitioner to participate in the round of transfers already initiated by the concerned Authorities.

5. Accordingly, the writ petition is disposed of and the petitioner is permitted to participate in the round of transfers for this year initiated by the concerned Authorities.

6. Needless to say, if the petitioner has continued at Boraj, Panchayat Samiti Chandur Bazar till date, she will continue in the same place till she is transferred in terms of the exercise of transfers being undertaken by the concerned Authorities.

JUDGE