

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

WRIT PETITION NO.2885/2021

Santosh s/o Ganpatrao Madavi

..VS..

Zilla Parishad, Yavatmal, thr.its Chief Executive Officer, Yavatmal and ors

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

Court's or Judge's Order

.....

Shri R.S.Khobragade, Counsel for the Petitioner.

Shri Nalin Majithia, Counsel for the Respondent No.2.

**CORAM : A.S.CHANDURKAR &
URMILA JOSHI PHALKE, JJ.**

DATED : JUNE 9, 2022

1. Heard learned counsel Shri R.S.Khobragade for the petitioner and learned counsel Shri Nalin Majithia for the respondent No.2.

2. The petitioner seeks to challenge the order dated 11.8.2021 transferring his services with Zilla Parishad, Yavatmal from Zilla Parishad (Secondary) School, Manikwada to Zilla Parishad (Secondary) School, Lohi. According to the petitioner, the competent authority did not indicate that the post of Assistant Teacher at Akolabazar was vacant so as to enable the petitioner to give an option for his transfer at that place. As such, availability was not indicated. The petitioner stood transferred at Lohi. The respondent No.4 who is junior in service to the petitioner was instead posted at Akolabazar.

3. On hearing the learned counsel for the parties, it is seen that the order of transfer is dated 11.8.2021. Pursuant thereto, the petitioner as well as the respondent No.4 had joined at the place of transfer. Since the period of almost one year has now lapsed, it would not be reasonable to interfere with the impugned order especially as this Court did not grant any *interim* relief.

4. By observing that it would be open for the petitioner to make a request for transfer as and when his turn comes, the writ petition is disposed of with no order as to costs.

(URMILA JOSHI-PHALKE)

(A.S.CHANDURKAR)

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