

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

WRIT PETITION NO.5613 OF 2023

NANDJEE PRASAD S/O LATE SHIVKUMAR GOND
VERSUS
UNION OF INDIA THROUGH SECRETARY AND OTHERS

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Advocate for Petitioners : Mr. Vishal P Bakal
Advocate for Respondents No.1 to 5: Mr. Bhushan B. Kulkarni.

**CORAM : MANGESH S. PATIL
& S.G. CHAPALGAONKAR, JJ.**

DATE : 14th JUNE, 2023

P.C.:-

Heard learned counsel for the petitioner and learned advocate for respondent and perused the petitioners.

2. The petitioner, who is serving as an ASI in the Central Industrial Security Force in the Ministry of Home affairs, Government of India and was posted at Aurangabad airport is now aggrieved by the order of transfer to Goa airport.

3. The learned counsel for the petitioner took us through the order of transfer as also list of transferee candidates, to buttress his submission that the posts were available in the East zone and some others having been posted there in the same order.

4. Learned counsel Mr. Bhushan Kulkarni, on instructions from

his client, makes a statement that, as has been disclosed in the communication Exh.E, the respondents would consider the petitioner's request on its own merits, provided he joins the new posting, irrespective of the fact that, that communication mentions that the request would be considered after he joins the new posting on 12.5.2023 and make a representation on 15.5.2023.

5. Mr. Kulkarni submits that the petitioner's request would be considered on its own merits irrespective of the date of his joining the new posting.

6. Mr. Bakal, Advocate for the petitioner, on instructions, submits that the petitioner has already been served with a movement order and would join the new posting within a week.

7. We accept the statement being made by the learned advocate for the respondents, as an undertaking to this court and dispose of the petition, by directing the respondents to consider the petitioner's representation on its own merits, as per the transfer policy, provided he joins the new posting within a week.

[S.G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE

grt/-