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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13322 OF 2023

Madan Pandurang Dhavale

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....

Mr. Mahesh S. Bhosale, Advocate for the Petitioner

Mr. P. K. Lakhotiya, AGP for Respondent - State

Mrs. Kavita Bhale, Advocate for Respondents No.2 and 3

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[CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRADE, JJ.]

DATE : OCTOBER 26, 2023

ORDER :

1. The grievance of the Petitioner is that on his request, the Municipal Corporation, Pune granted its No Objection to transfer the Petitioner from his present location in Zilla Parishad, Ahmednagar to the Municipal Corporation, Pune. Petitioner belongs to a reserved category as is mentioned in the list of candidates published on 14th June, 2023 by the Pune Municipal Corporation, granting its No Objection to transfer them to its establishment. Grievance is that the Petitioner is still not relieved, though order dated 3rd August, 2023 has been passed by the Chief Executive Officer, Zilla Parishad, Ahmednagar.

2. Learned Advocate representing the Zilla Parishad points out a specific clause in the order dated 3rd August, 2023, wherein it is mentioned as foot note that if the Petitioner desires to join Pune Municipal Corporation, he would have to clear unpaid loan amounts. An amount of Rs.24,16,314/- is outstanding against the Petitioner. Learned advocate for the Petitioner has tendered affidavit undertaking dated 26th October, 2023, declaring that if he is allowed to join at Pune, the Municipal Corporation is at liberty to deduct installments from his each month's salary, in view of desire to regularly repay installments of loan and deposit said amount in his loan account No. 3076, Ahmednagar Zilla Prathmik Shikshak Sahakari Bank Ltd., Ahmednagar, Branch Karjat. Said affidavit is taken on record and marked "X" for identification.

3. Learned advocate for the Zilla Parishad submits that the affidavit undertaking will bind the Petitioner and the Zilla Parishad would be willing to let the petitioner be relieved from his present posting to join the place of transfer, subject to compliance of above said order. The Petitioner would ensure that there is no default and the loan EMI may be deducted from the salary of the Petitioner, by the Municipal Corporation, Pune and transfer the said amount to his loan account every month, by

bank transfer.

4. The Zilla Parishad shall place copy of this order before the Commissioner, Pune Municipal Corporation.

5. With aforesaid directions, the Writ Petition is disposed off.

[Y. G. KHOBRADE]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE