

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 996 OF 2021

P.D. Kokare

... Petitioner

V/s.

The State of Maharashtra and Anr.

... Respondents

Mr. Sanjay Kshirsagar for the Petitioner

Mr. M.M. Pabale, AGP for the Respondent - State

***CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.***

DATE : 14 DECEMBER 2023

P.C. :-

The Petitioner has challenged the order passed by the Maharashtra Administrative Tribunal dated 5 March 2021. By the impugned order the Petitioner's challenge to the order of transfer dated 24 July 2020 was dismissed.

2. The Petitioner has sought to raise legal questions. However, it has to be noted that when the order of transfer was passed on 24 July 2020 from Pune to Chandrapur the Petitioner was at Pune since 6 February 2016. Even though the post is transferable,

the Petitioner has continued at Pune since 2016 and working for three years. Even if the Petitioner would have succeeded not setting aside the order of transfer, the Petitioner would have transferred after the period of three years. Therefore, the Petitioner has already succeeded in getting his tenure completed by three years at Pune. In the light of the above observations, the impugned transfer order dated 24 July 2020 does not survive.

3. Writ Petition is disposed of.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.

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