

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8244 OF 2019

D. S. Benupani,
presently posted as Commissioner of
Income tax (Appeals) – 4, Pune ... Petitioner.

V/s.

Union of India & Ors. ... Respondents.

.....

Ms Gunjan Mangla Siya Chaudhry for the Petitioner.
None for the Respondents.

.....

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

DATE : 30 November 2023.

P.C. :

The learned Counsel for the Petitioner seeks time on the ground that the learned Counsel is not able to contact the Petitioner. It is not necessary to adjourn the proceedings for that purpose as the facts would show that the Petition does not survive. The impugned order has reproduced the prayers made by the Petitioner before the Central Administrative Tribunal, Mumbai, that is challenge to the transfer order dated 24 October 2017 and rejection of his

representation. The Original Application was dismissed by the impugned order dated 31 January 2019. The Petition was filed on 20 March 2019 and it has remained pending without any order and it has come up in regular course.

2 We are informed that the Petitioner has now retired on superannuation. That being the position, nothing survives in this Petition. In case apart from the order of transfer any other issue relating to the Petitioner's service arise, it is always open to the Petitioner to approach the Tribunal for that purpose.

3 The Writ Petition is accordingly disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)