

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 5943 OF 2004

Anil Vitthal Kudhale and another. ... Petitioners.

V/s.

The Secretary,

Ministry of Road Transport & Highways

and others. ... Respondents.

SANJAY
KASHINATH
NANOSKAR

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SANJAY KASHINATH
NANOSKAR
Date: 2023.08.04
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Rajat Dighe i/b. A.S.Rao for the Petitioners.

CORAM : **NITIN JAMDAR, AND
SANDEEP V. MARNE, JJ.**

DATE : **2 August 2023.**

P.C. :

The Petitioners, by this petition filed in the year 2004, is seeking a direction to Respondent Nos.1 to 4 to release the Petitioners to enable them to join the new appointment under Respondent No.5, in short, inter departmental transfer. Since it was denied by order dated 17 November 2003 by Respondent No.3, the petition was filed. Rule was issued in this petition on 24 January 2005. The Respondents have filed reply stating that there was ban on inter-departmental transfers at the relevant time.

2. Considering the nature of prayer, by passage of time i.e. almost of 20 years, the substratum of the petition would no longer survive.

3. Writ petition is disposed of. If the cause survives, it is open to the Petitioners to make an application within a reasonable period for revival of the petition demonstrating how the cause survives.

(SANDEEP V. MARNE, J.)

(NITIN JAMDAR, J.)