

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3231 OF 2020

The State Of Maharashtra
Through Prin.Secretary,
Water Resources Dept.

... Petitioner.

V/S.

Shri. Rakesh Ramesh Dhaktode ... Respondent.

.....
Mr. N.K.Rajpurohit AGP for the State-Respondents.
.....

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

DATE : 13 December 2023.

P.C. :

On 6 December 2023 following order came to be passed:-

“ The Petitioner has challenged the order of transfer of the Respondent dated 27 May 2019 from Executive Engineer, Sindhudurg Irrigation Project, Sawantwadi to Executive Engineer, EGS, Commissioner Office Konkan Bhavan, CBD Belapur, Navi Mumbai, which has been set aside by the Maharashtra Administration Tribunal by an impugned order dated 30 August 2019. The Petition is filed in the year 2019 and it has remained pending.

2 Apart from the question of law that the learned AGP seeks to raise the issue would be of the effective relief, since the posting of the Government Officer is normally for three years and it is 4½ years since the transfer order was passed.

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The learned AGP seeks time to take instructions as regards the present position whether the Respondent is re-transferred to some other post in regular course.

*3 Stand over to **13 December 2023** under the caption “For Direction”. “*

2 The learned AGP on instructions states that after the transfer order was set aside by the Tribunal, the Respondent has been transferred at different places. Therefore, as far as the challenge to the transfer order dated 27 May 2019 is concerned, the same does not survive and therefore Petition has become infructuous.

3 To the question of law raised by the State in this Petition is kept open to be urged in an appropriate case.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)