

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No. 3360 of 2018

PETITIONER : Devanand s/o Krushnarao Chandure,
Aged about 52 years, occu.: Service,
R/o. Mahuli Jahangir, Tah. & Distt.
Amravati.

-Versus-

RESPONDENT : Chief Executive Officer, Zilla
Parishad, Amravati.

Mr. Narendra Dhoot, counsel h/f Mr. N.R. Saboo,
counsel for the petitioner.
Mr. M.G.Rathi, counsel for the respondent.

CORAM : ANIL S. KILOR, J.

DATED : 06.01.2023.

ORAL JUDGMENT

Heard.

2. **Rule.** Rule made returnable forthwith. The petition is heard finally with the consent of the learned counsel for the parties.

3. In this petition the order passed by the Industrial Court, Amravati dated 06/06/2018, is under challenge, whereby the stay sought to the transfer order of the petitioner was refused by the learned Industrial Court.

4. In the present petition, while issuing notice, this Court on 28/06/2018 granted stay until further orders and as such, the petitioner is continued on the original post on which he was working prior to issuance of the transfer order.

5. Both the learned counsel for the respective parties, made a joint statement that the petitioner is going to superannuate in the month of November, 2023.

6. Because of stay granted by this Court, the petitioner is continued on the original post for more than four and half years and now he is at the verge of retirement. In that view of the matter, I am of the opinion that instead of deciding the petition on merits, the petition be disposed of by issuing necessary directions. Accordingly, I pass the following order.

ORDER

- (1) The petition is partly allowed.
 - (2) The impugned order dated 06/06/2018 is hereby quashed and set aside.
 - (3) The respondent-Zilla Parishad is directed not to implement the transfer order impugned in the present petition till the date of superannuation of the petitioner, i.e. till end of November, 2023.
7. Rule is made absolute in the above terms. No order as to costs.

[ANIL S. KILOR, J.]