

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

WRIT PETITION NO. 4280 OF 2023

Pravin S/o Arunpant Deshmukh

..VS..

Maharashtra State Electricity Distribution Co. Ltd., Bandra (E) Mumbai through its
Chairman and Managing Director one of its Branches at Chandrapur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M. Anilkumar, Advocate for the petitioner.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ
DATED : JULY 11, 2023

The challenge raised in the present writ petition is to the order of transfer dated 30.06.2023 by which the services of the petitioner as Deputy Executive Engineer have been transferred from Ballarshah Division, Chandrapur Zone to the Jalgaon Zone. It is submitted that the petitioner has served for a period of almost 16 years in the naxalite area and therefore he was entitled for preference when the transfers was effected. Only on the ground that such transfer was on administrative ground, the petitioner has been transferred.

2. We find that the petitioner has not yet made any representation to the respondent setting out his difficulties and making a request to suitably consider a nearby place of transfer. The petitioner is therefore permitted to make such a representation to the respondent by stating all reasons which according to the petitioner deserves consideration by the respondent.

3. Accordingly the following order is passed :-

(i) The petitioner is permitted to make a representation within a period of seven days from today to the respondent with request to re-consider the

order of transfer issued on 30.06.2023. If such representation is made within aforesaid period, same shall be considered within further period of seven days and the decision be communicated to the petitioner.

It is clarified that if in the meanwhile the petitioner joins at the place of transfer, the same shall be without prejudice and would be dependent upon the outcome of the representation. Needless to state that if the petitioner is still aggrieved, it is open for him to take legal recourse in accordance with law. It is also open for the respondent to consider whether the petitioner can be permitted to discharge duties at Ballarshah till the representation is decided.

4. The writ petition is disposed of in the above terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

Kirtak