



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

WRIT PETITION NO.5134 OF 2023

(ARUN VIRAYYA LINGAMWAR ..VS.. CONSERVATOR OF FOREST (REGIONAL) GADCHIROLI & ANR.)

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

Court's or Judge's orders

Shri Sandeep Marathe, Advocate for Petitioners.
Shri N.R.Patil, A.G.P. for Respondent Nos. 1 and 2.

CORAM : ANIL S. KILOR, J.
DATED : SEPTEMBER 26, 2023.

1. Heard.
2. The petitioner was transferred vide order dated 26/05/2023 from Ballarsha to Jimalgatta in Sironcha Forest Division. The same is the subject matter before the Industrial Court in Complaint (ULP) No. 42 of 2023.
3. Initially, the Industrial Court granted status-quo order in favour of the petitioner and as such he was continued till rejection of the application for interim relief on 15/07/2023.
4. Today, the petitioner has tendered an Undertaking before this Court, which is marked as "X" for identification. The relevant extract of it reads thus :

"3] Petitioner most humbly submits that now 4 months have been already lapsed and no other person is posted against the post held by the petitioner. In view thereof petitioner

most humbly pray before this Honourable Court to direct the respondent department to allow petitioner to continue at Ballarshah till the end of this session, and thereafter petitioner shall obey the transfer order if any issued by the respondent.”

5. The normal period of effecting the transfer is from March to May and since it is the end of September, I am of the opinion that, in view of the Undertaking, the request of the petitioner can be considered and this petition can be disposed of. Accordingly, I pass the following order:

The Writ Petition is disposed of with direction to the respondents to keep the order dated 26/05/2023 in abeyance, so far as the petitioner is concerned, till the month of March, 2024 and thereafter the respondents are at liberty to issue fresh transfer order.

The aforesaid interim arrangement shall be subject to filing of an Undertaking on affidavit by the petitioner, within one week from today.

The Writ Petition is **disposed of** accordingly.
No order as to costs.

JUDGE