



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO. 636 OF 2024

**BHIM DAGADU ROLE
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION**

...

Advocate for the petitioner : Mr.T.M.Venjane
Advocate for Respondent : Mr.A.B.Dhongade

...

AND

907 WRIT PETITION NO. 639 OF 2024

**NAGNATH KESHAVRAO SUTAR
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION**

...

Advocate for the petitioner : Mr.T.M.Venjane
Advocate for Respondent : Mr.A.B.Dhongade

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 24.01.2024

P.C. :

1] Heard the learned counsel for the petitioners.

2] By the present Writ Petitions, the petitioners are challenging the interim orders dated 28.02.2022 below Exh.U-2 and order dated 10.04.2023 below Exh.U-2 in complaint [ULP] passed by the Industrial Court, Latur.

3] The learned counsel for the petitioners submits that the petitioners are working as Conductors with the respondent at Nilanga Depot. The petitioners are transferred from Nilanga Depot to Ausa Depot. The petitioners imparted unblemished services and they have not indulged in any misconduct. Without conducting any department enquiry, the increments of the petitioners have been stopped. The learned counsel for the petitioners submits that the transfer orders issued against the petitioners are illegal as it amounts to double jeopardy. Therefore, considering the said fact, the present Writ Petitions may be allowed.

4] *Per contra*, the learned counsel for the respondent-Corporation submits that the petitioners' job are transferable. The transfer orders of the petitioners are purely on administrative ground. The Corporation is entitled to transfer the employees on administrative ground. The learned counsel further submits that the transfer of the petitioners are within around 35 kilo meters. The learned counsel further submits that the order passed by the Industrial Court, Latur, is just and proper.

5] It is undisputed that the petitioners are working on the transferable job and the transfers can be made on administrative ground. The Corporation is also entitled to transfer the employees on administrative ground. In view of

the same, the present Writ Petitions are dismissed. However, the Industrial Court is directed to decide the complaints [ULP] as expeditiously as possible, preferably within a period of one year.

6] The observations made herein above are *prima facie* in nature for the purpose of deciding the present Writ Petitions and the Industrial Court would not be influenced any of the observations of this Court while deciding the complaints [ULP].

[ARUN R. PEDNEKER]
JUDGE

DDC