



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

948 WRIT PETITION NO. 6253 OF 2024

**AMOL DHONDOPANT BURSE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS**

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Advocate for the Petitioner : Mr. Birajdar Yogesh G.
AGP for Respondents/State : Mr. S.R. Yadav Lonikar
Advocate for Respondents : Mr. S.B. Pulkundwar

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**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.**

DATE : 27th June, 2024

PC. :-

1. The Petitioner is a contractual employee on eleven months contract as a Community Health Officer at Sub-Center Taroda in Kalamnuri Tahsil. During one of his contractual extension, he was transferred to the office of the Civil Surgeon at Parbhani and thereafter at Valona Sub-Center in Mahur, followed by Vazra Sub-Center in Mahur. Presently, he is working at Vazra Sub-Center and prays for a transfer to District Hospital, Hingoli. He has made a specific request vide communication dated 02.05.2024, that he should be posted at Arogya Vardhini Kendra at Kharwad, Tq. Kalamnuri, Dist. Hingoli. Reliance is placed on Clause 5 of the Circular dated 06.06.2018, issued by the Directorate of Medical Services.

2. We have perused Clause 5 of the said circular. We find that the representation is not maintainable under Clause 5. In view thereof, we cannot issue a Writ of Mandamus to command a particular officer to perform an act which he is not obliged to under any provisions of law.

3. **This Writ Petition is, therefore, dismissed.**

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]