



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 WRIT PETITION NO. 7877 OF 2024

RAJKUMAR LAXMAN GHOGARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Munde Sambhaji G.
AGP for Respondents/State : Mr. N.S. Tekale
Advocate for R/3 & 4 : Mr. V.M. Vibhute

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CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 31st July, 2024

PC. :-

1. The Petitioner conceded that he was transferred at Dahiphal Tq. Washi, Dist. Dharashiv, in 2019. He further submits that as per the Government policy, he would be eligible and would be entitled to seek a transfer after 10 years, which is in 2029. By this Petition, he desires a choice transfer considering his representation dated 16.11.2022, wherein he has prayed for a transfer, within three years of his transfer.
2. If the Petitioner is not eligible for transfer within 10 years of the earlier transfer, no right is created and as such a Writ of Mandamus cannot be issued.
3. In view of the above, **this Petition is disposed off.**

4. In the event there is any GR that legitimizes the claim of the Petitioner for a transfer, prior to 2029, he may move an application in tune with the policies applicable.

POST DICTATION OF THE ORDER

5. After this order was dictated in the open Court, Shri Munde, learned Advocate kept on arguing post dictation, as if we were continuing to hear his Petition. We tried our best to stop him. He was unstoppable. The next matter at sr.no.936, was called out. He prevented the learned advocate Shri Shinde from addressing the Court and continued to address the Court. Hence, We are issuing Contempt Notice to advocate Shri Sambhaji Munde.

6. Issue a Show cause notice to Adv Munde, why action under the Contempt of Courts Act should not be initiated, returnable after 15 days.

APOLOGY

7. Now the learned advocate Shri Munde has tendered an unconditional apology and assures the Court that in future, he will never behave like this before any Court. Hence, office is directed not to issue the notice set out in paragraph 6 hereinabove.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]