



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9523 OF 2024

MAHARASHTRA RAJYA ADARSHA SHIKSHAK SAMITI
THROUGH ITS PRESIDENT AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

.....
Advocate for the Petitioner : Mr. Jadhavar Santosh Sampatrao
AGP for Respondents/State : Mr. R.S. Wani
.....

CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 4th September, 2024

PC. :-

1. The Petitioners desire that this Court should issue a Writ of Mandamus for taking disciplinary action against a Chief Executive Officer (who is an IAS Officer), for having allegedly issued incorrect transfer orders.
2. Under the pressure of the Petitioners, a Committee was constituted to conduct a 'sort of an inquiry' to assess whether the transfers have been inappropriately made. It is stated that a report by three officers of the rank of Assistant Commissioner from the office of the Divisional Commissioner, Ch. Sambhajinagar, have come to a conclusion that some of

the employees had used their influences and also used false documents with distorted information, to orchestrate their transfers. The Committee has recommended that an enquiry be initiated against those persons and officers involved in the said process.

3. The Committee that is constituted is not under any specific provision of law. It appears that such a Committee was constituted to diffuse the situation which was created under the complaints and pressure of the Petitioners. The Committee recommends that the due procedure needs to be followed for initiating disciplinary action.

4. In service jurisprudence, we would not entertain such Writ Petition at the behest of a Union which seems to be after a particular officer. If the Authorities are inclined to proceed with whatever action they desire, it is for the said Authorities to deal with the issue. A Writ of Mandamus in such matters will not be issued.

5. **This Writ Petition is dismissed.**

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]