



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 WRIT PETITION NO. 14925 OF 2023

DIPALI ASHOK KADAM

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

...

Mr. S. S. Thombre, Advocate for the Petitioner

Mr. S. K. Tambe, AGP for Respondents State

Mr. A. D. Aghav, Advocate for Respondent Nos. 2 and 3.

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

DATE : 5th January, 2024

ORDER:

1. On 18th December, 2023, we had passed the following order:

"1. The learned advocate for the Zilla Parishad places a copy of the order dated 12.12.2023, on record and contends that the grievance of the Petitioner is redressed as she has been transferred within 30 kms. from her husband.

2. The learned advocate for the Petitioner pleads to the Court to consider this case a little differently. Contention is that the Petitioner is a lady teacher who had suffered to a great extent at the hands of the Headmaster who was subsequently suspended since the Petitioner lodged a complaint of sexual harassment to the Vishaka Committee. The Petitioner is now transferred within 30 kms, however, in the native place of the same man who was harassing her. He submits that the Petitioner-Teacher is willing to be posted at any place even if that is beyond 30 kms from the place of her husband, but not at a place which is the native of the person who has harassed her.

3. We find that this is a peculiar case and the C.E.O. Zilla Parishad may personally look into the same since it should not lead to such consequences which would be worse for the Petitioner.

4. We are listing this petition in the urgent orders category on 05.01.2024, to enable the C.E.O. Zilla Parishad to look into this matter and report to the Court.

2. The learned Advocate for the Zilla Parishad submits that a fresh posting has been granted to the Petitioner vide order dated 29.12.2023, which is marked as 'X' for identification. The learned Advocate for the Petitioner submits that the Petitioner has joined pursuant to the order 'X' and has no grievance and this Petition can be disposed off.

3. In view of the above, **this Petition is disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan