

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6161 OF 2024

Sau. Aarti W/o Ravindra Khose

...Petitioner

Versus

The State Of Maharashtra & Anr

...Respondents

Mr. Ratan L. Adhe for the Petitioner.

Ms. Rupali Shinde, AGP for the Respondent No. 1

Mr. S. R. Ghanavat i/b. Mr. Pankaj Deokar for the Respondent No. 2

**CORAM : NITIN JAMDAR &
M. M. SATHAYE, JJ.**

DATED : 30 APRIL 2024

P.C.:

1. The representation was made by the Petitioner on 9 February 2024 and without waiting for it to be decided, immediately this Petition is filed on 20 February 2024 seeking a Writ of Mandamus to decide the said representation. This Petition is an abuse of process of law.

2. Writ of Mandamus is predicated on the premise that there is failure of statutory duty to take steps within a reasonable time. Transfer of employee from one place to another is not matter of absolute right and is within the bounds of policy. If such Writ Petitions for simplicitor directions without giving adequate time to the authorities to consider the representations are entertained, this Court will be flooded with such Writ

Petitions. The Chief Executive Officer also has various other public duties to perform other than deciding applications for transfer.

3. Therefore, we are not inclined to issue a Writ of Mandamus in this Petition as presented. However, it does not mean that representation should not be decided at all, but it should be decided within a reasonable time.

4. The Writ Petition is disposed of accordingly.

(M. M. SATHAYE, J.)

(NITIN JAMDAR, J.)