

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

WRIT PETITION NO.4957 OF 2024

Kishori Kishor Parkar

....Petitioner

V/S

Chief Executive Officer

Zilla Parishad Ratnagiri & Ors.

....Respondents

Ms. Pavitra Manesh *for the Petitioner.*

Ms. Vinsha Acharya i/b Mr. Ranjit Agashe *for Respondents-ZP.*

CORAM: SANDEEP V. MARNE, J.

DATE : 11 JULY 2024.

P.C.:

1 By this Petition, Petitioner has challenged judgment and order dated 27 February 2024 passed by Industrial Court No.1, Kolhapur dismissing Complaint (ULP) No.127 of 2017.

2 I have heard Ms. Manesh, the learned counsel appearing for the Petitioner and Ms. Acharya, the learned counsel appearing for the Respondent-Zilla Parishad.

3 After having considered the submissions canvassed by the learned counsel appearing for the parties, it is seen that the Petitioner was initially

engaged as Anganwadi Sevika by order dated 20 December 2001 at village Juve Jaitapur, since she was a resident of that village. She got married on 29 April 2004 and shifted the residence to Panhale Tarf Rajapur. Despite her marriage and residence at village Panhale, she continued to serve as Anganwadi Sevika at Juve Jaitapur till the year 2014. She apparently did not place any difficulty in serving at Juve Jaitapur despite her residence being shifted at village Panhale. Only because the Anganwadi Sevika at Panhale retired on 1 March 2014, the Petitioner thought of encashing the said opportunity and got herself temporarily deputed at village Panhale for only few months from 1 May 2014 to November 2014. Later she applied for the transfer to village Panhale on 16 October 2015. Her request came to be rejected by the office of Child Development Project Officer, Rajapur on 30 March 2017. Thereafter the Petitioner apparently continued to function at village Panhale on account of interim protection granted in her favour.

4 Perusal of the letter dated 30 March 2017 would indicate there is no policy for transfer of Anganwadi Sevikas from one village to another. It is not permanent or regular job. It is merely an engagement on honorarium basis. In that view of the matter, Petitioner could not have sought her transfer from village Juve Jaitapur to village Panhale. Her request for transfer appears to be more out of convenience on account of her residence at village Panhale after her marriage. Otherwise Petitioner continued to serve as Anganwadi Sevika at village Juve Jaitapur for 10 long years after her marriage. In my view therefore, no case is made out by the Petitioner for insisting that she must be transferred

at village Panhale. The Industrial Court has rightly rejected the Complaint.
Writ Petition is accordingly rejected.

(SANDEEP V. MARNE, J.)

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