



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 2468 Of 2024

Laxman Pandurang Suradkar vs. State of Maharashtra and others.
With

WRIT PETITION NO. 2469 Of 2024

Chandansingh Suratsingh Rajput vs. State of Maharashtra and others.
With

WRIT PETITION NO. 2470 Of 2024

Sandeep Bhanudas Narkhede vs. State of Maharashtra and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.B.Dhore, Advocate for petitioner in all writ petitions.

Ms N. P. Mehta, Additional Government Pleader for respondent nos. 1 to 3 in all writ petitions.

CORAM :- NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE :- 16th APRIL, 2024.

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Heard learned counsel for the parties.

2. It is not in dispute that all the petitioners are due for transfer having completed their requisite tenure, however such transfers could be effected in the annual general transfers.

3. The impugned order before the Tribunal was in relation to the transfer orders issued to the petitioners in view of ensuing Lok Sabha-2024 elections.

4. The fact remains that the petitioners were assigned with the election duties and the same were cancelled on 21.02.2024. As such considering their posting for more than three years as reflected in, which issue is governed by the directions of the Election Commission dated 21.12.2023 once the petitioners are not assigned with the election duty, they ought not to have transferred for the reason of ensuing Lok Sabha elections. However, they can be transferred in annual general transfers.

5. In that view of the matter, we are of the view that since other similarly placed persons like Shri V. D.Saple is already protected by the

order of the Tribunal, we deem it appropriate to stay the transfer of the petitioners till the Tribunal decides the prayer of the petitioners for grant of interim relief.

6. We request the Tribunal to decide the prayer of the petitioners for grant of interim relief as expeditiously as possible.

7. With these directions, the writ petitions stand disposed of. No costs.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.