



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.
WRIT PETITION NO. 7034 of 2024

Kiran d/o Manohar Sakarkar vs. The 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

Mr. S.S.Dhengale, Advocate for petitioner.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 5th DECEMBER, 2024

Heard.

2. Issue notice for final disposal of the writ petition to the respondents, returnable on **08.01.2025**.

3. It is the case of the petitioner that the Civil Surgeon, Amravati, has issued a certificate dated 13.03.2024 certifying that the petitioner is suffering from 'Ovary Cancer' and in such an eventuality the transfers are governed by the Government Resolution dated 18.06.2024 for the teachers who are working with the Zilla Parishad.

4. It is claimed that the said Government Resolution confers right of choice posting to the patients who are suffering from 'Cancer'. According to the learned counsel for the petitioner all the relevant documents were brought to the notice of the competent authority, still not only the prayer of the petitioner for choice posting is rejected but the appeal preferred by the petitioner is also rejected without adhering the aforesaid certification.

5. Ms Charlewar, learned AGP waives service of notice for respondent no.1.

6. Transfer, if any, shall be subject to outcome of the writ petition. The Transferring Authority shall be sensitive to the aforesaid observations while dealing with the issue of transfer.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)