



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO. 12394 OF 2024

Pravin Ashok Bhadak

VERSUS

The State Of Maharashtra Through Its Additional Chief Secretary And
Others

...

Mr. Sanket N. Suryawanshi - Advocate for the Petitioner

Mrs. Vaishali S. Chaudhari - AGP for State

...

**CORAM : R. G. AVACHAT
AND
NEERAJ P. DHOTE, JJ.**

DATED : 23RD JULY, 2025

PER COURT: -

1. The Petitioner had approached the learned Maharashtra Administrative Tribunal by filing Transfer Application No. 25 of 2024, challenging the action of Respondent No. 2, in not relieving him to join at the transferred place, at Dhule. The Petitioner had prayed for interim relief before the learned Tribunal, however, the request for grant of interim relief came to be rejected by the order dated 25.07.2024. Subsequently, the said Transfer Application came to be disposed off by order dated 21.10.2024. Hence, the Petitioner has approached this Court.

2. According to the learned Advocate for the Petitioner, this is the fifth round of litigation and, in the previous round, the reply filed by

the State was in favour of the Petitioner. He submits that the Petition be allowed by setting aside the impugned order passed by the learned Tribunal, and that, by way of interim relief, the Respondents be directed that the Petitioner be relieved so as to join duties at the transferred place.

3. The Petition is opposed by the learned AGP

4. The learned Tribunal, in paragraph nos. 18 and 19 of the Final Order, observed as under : -

“18. It has to be, however, further stated that this Tribunal has not disapproved the transfer of the present applicant from GST Office Kalyan, the disapproval is to the transfer of the applicant at Dhule. In the interim order passed by this Tribunal it has been specifically observed that it would be open for the respondents to give posting to respondent no. 3 i.e. present applicant at some place other than Dhule. In the representation dated 08-03-2023 submitted by the applicant in response to which the order of transfer dated 27-07-2023 came to be issued, the applicant had prayed for his transfer at the first instance at Dhule and has also given option of Malegaon, Nandurbar and Jalgaon.

19. In the circumstances, the applicant may still request for his transfer at any of the aforesaid places, except Dhule, which would certainly be a solace for the applicant as he would be able to take care of his old aged ailing parents as well as take care of the education of his children even by discharging his duties at the said place. If any such request is made by the applicant, respondents are not precluded from favourably considering the same. Present T.A. No. 25/2024, thus, stands disposed of in the aforesaid terms without any order as to costs.”

5. In view of the above order of the learned Tribunal, the Petitioner can make a request to the Competent Authority, and if any

such request is made, the Competent Authority (Respondents) are not precluded from favourably considering the same. In this background, we do not deem it appropriate to interfere in the impugned order and hence, we proceed to pass the following order.

ORDER

- [i] The Writ Petition is dismissed.
- [ii] In the event the Petitioner makes any Representation pursuant to the observations of the learned Tribunal, the Competent Authority / Respondents shall consider the same, as observed by the learned Tribunal, within a period of two (2) weeks from the date of receipt of such Representation.

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE

SG Punde