

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

WRIT PETITION NO. 18829 OF 2024

Arjun Vitthal Chavan Petitioner
Versus
The State of Maharashtra & Ors. ... Respondents.

Mr. Ashwin r. Kapadnis i/b. Mr. Balaji S. Shinde, for the Petitioner.
Mr. Swapnil P. Kamble, AGP for Respondent Nos. 1 and 2/State.
Mr. Ashok M. Misal, for Respondent No. 3.
Mr. Shridhar A. Patil a/w. Mr. Tanveer Momin, for Respondent No. 4.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 12th FEBRUARY, 2025

P.C. :

1. This Petition brings up peculiar facts. The Petitioner and his wife are in the employment of a School under Zilla Parishad, Solapur. The Petitioner is a severe diabetic patient and has suffered kidney failure. He is undergoing dialysis. He had also undergone a kidney transplant operation and one kidney has been removed. These sufferings date back to 2015 onwards. Hence, both sought transfer by couple convenience inter-district to the Sangli Zilla Parishad since Sangli is the home town of the couple. Unfortunately, his wife Sushila Gopal Pawar(Maidan name) was retained at Solapur and the Petitioner is

transferred to Sangli. This intrigues us.

2. Now the Petitioner is in a precarious health condition. He prays that his transfer from Solapur to Sangli be cancelled and he be reverted back to Solapur.

3. The learned Advocate representing Solapur submits that there are vacancies only in the open category and not in the category to which the Petitioner belongs.

4. The Advocate for the Petitioner, on the instructions of the Petitioner, makes two statements in order to entertain Petitioner's request. Firstly that he and his wife will henceforth not seek inter-district transfer until they superannuate from their service with the Solapur Zilla Parishad. Secondly, he is willing to take assignment by reverting him to Solapur in the open category and henceforth, he will not claim any benefit of reservation. We find that both these statements indicate the bonafides of the Petitioner and can be considered fairly.

5. In view of the above, this **Petition is disposed off**. Let Solapur Zilla Parishad consider the case of the Petitioner for cancellation

of the transfer to Sangli in the general transfers to be made in the month of April/May 2025. He would be transferred to Solapur in the Open category from the academic year June, 2025 onwards. He will not resile from the above statement made before Court.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)