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

WRIT PETITION NO. 3993 OF 2025

Vilas Baburao Dhaiygude ... Petitioner
Versus
State of Maharashtra and ors. Respondents

Mr. Sushant Prabhune, for the Petitioner.
Mr. Rupali Shinde, AGP for the Respondents No.1 to 4 – State.
Mr. Vivek V. Salunke, for Respondent No.5.

**CORAM : M.S.KARNIK AND
N.R.BORKAR, JJ.**

DATE : 18th JUNE, 2025

P.C. :

1. Heard learned counsel for the parties. The order dated 14/02/2025 passed by the Maharashtra Administrative Tribunal (for short , “the Tribunal”) is under challenge. The petitioner is the original respondent no.5 before the Tribunal. The petitioner - Vilas Baburao Dhaiygude as well as respondent no. 5- Dhananjay Dinkar Patil herein were transferred by an order dated 11/10/2024 as Agriculture Officer, Quality Control District Officer at Pune. Respondent no. 5 herein approached the Tribunal by

filing O.A. No. 1361 of 2024. The interim order came to be passed on 22/10/2024. In paragraphs 8 & 9 of the said order, the Tribunal observed thus:

“8. It is submitted by learned Advocate for Respondent No.5 that Respondent no. 5 has joined on the transferred post on 15.10.2024. I have referred to the fact that on the same post, the Applicant has joined on 14.10.2024.

9. In view of aforesaid facts, case is made out to pass “interim order”. The effect and implementation of the impugned order of transfer of Respondent No.5 dated 11/10/2024 (Annexure A-1) shall stand stayed till the next date.”

2. In view of this order, the respondent no.5 continued to work on transferred post of Agriculture Officer, Quality Control District Officer till the filing of this petition. The Tribunal by the impugned order set aside the transfer of the petitioner.

3. Learned counsel for the petitioner submitted that hardly any reasons have been given by the Tribunal while passing the impugned order. It is submitted that for unjustifiable reasons, the Tribunal has quashed the transfer order of the petitioner.

4. It is pertinent to note that even after stay order was granted by the Tribunal, the petitioner did not join the original place of posting at Khandala, District – Satara. Learned counsel for the petitioner submits that he could not join at Khandala District

Satara since the petitioner was already relieved and another officer joined at Khandala and the petitioner was not given the post. Prima facie, there is some substance in this submission of the petitioner.

5. Learned counsel for the respondent no. 5 placed on record copy of the GR dated 13/03/2025 by which the petitioner is now transferred from Khandala, District- Satara to Malkapur, District – Kolhapur. Since 13/03/2025, neither the petitioner joined at Kolhapur nor filed proceedings challenging the said transfer. Learned counsel for the petitioner submits that the petitioner was not aware of this order. In our opinion, in view of the subsequent development, as there is no stay to the order dated 13/03/2025, it is for the petitioner to take appropriate steps.

6. In the meantime, the respondents are directed to file affidavit in reply to the writ petition. Affidavit in reply to be filed within 2 weeks. Presently, we are not inclined to grant any interim relief in favour of the petitioner.

7. List the matter on 14/07/2025.

(N.R.BORKAR, J.)

(M.S.KARNIK, J.)