

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

WRIT PETITION NO.10548 OF 2025

Shri Sunil Shivaji Wagh ... Petitioner
Vs.
The State of Maharashtra & Ors. ... Respondents

Mr. R. G. Panchal a/w Mohan Rawat, S. Gundajwar, K. S. Jadhav for the
Petitioner.

Mr. V. G. Badgujar, AGP for the Respondent-State.

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

DATE : 31ST JULY 2025

Digitally
signed by
MUGDHA
MANOJ
PARANJAPE
Date:
2025.08.01
14:35:23
+0530

P.C. :

1. Heard Learned Counsel for the Petitioner.
2. Issue notice to the Respondents, returnable on **13th August 2025**.
3. Mr. Badgujar, Learned AGP waives service of notice on behalf of the Respondent-State.
4. Affidavit in Reply, if any, to be filed on or before the next date.
5. We *prima facie* find that transfer of the Petitioner is mid term transfer. The order passed by the Tribunal records that there were serious complaints against the Petitioner, which was the reason for transfer.

6. It is the submission of Learned Counsel for the Petitioner that the said transfer is a vindictive transfer. The Tribunal has refused to stay transfer of the Petitioner from Mumbai to Nagpur. The Petitioner is working as a driver. The Tribunal has however allowed the Petitioner to retain his quarters. The Tribunal is proceeding with the Original Application.

7. In the facts and circumstances of the present case, we are satisfied that the Petitioner needs to be protected by an interim order till we examine the relevant records and peruse the Affidavit in Reply.

8. As an interim measure, we direct that the Respondents shall not take any coercive action against the Petitioner for not reporting at Nagpur till the next date.

9. Stand over to **13th August 2025**.

10. In the meantime, it is open for the Tribunal to proceed with the hearing of the Original Application on merits.

11. The salary of the Petitioner is to be paid subject to outcome of this Petition.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)