



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

943 WRIT PETITION NO. 14775 OF 2025

Vijay Domaji Bansod

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Mr. Ravindra B. Ade - Advocate for the Petitioner

Mr. A. B. Girase – G.P. for State

Mr. Umesh Mote – Advocate for Respondent Nos. 2 to 5

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CORAM : SMT. VIBHA KANKANWADI
AND
HITEN S. VENEGAVKAR, JJ.

DATED : 21ST JANUARY, 2026

ORAL ORDER : [*Per* Hiten S. Venegavkar, J.] : -

1. The present petition has been filed seeking directions to Respondent Nos. 3 to 5 to relieve the Petitioner from Jalna District immediately to join the duties at Nagpur District in accordance with the Transfer Order dated 22.08.2022 and Relieve Order dated 09.09.2022 issued by the Chief Executive Officer, Zilla Parishad, Jalna. The Petitioner states that the Petitioner had applied for inter-district transfer from Jalna District to Nagpur District and upon the request of the Petitioner, the transfer order came to be issued on 22.08.2022 transferring the Petitioner from Jalna District to Nagpur District. In pursuance of the said transfer order, relieving order has also been issued on 09.09.2022.

2. It is the grievance of the Petitioner that, in spite of there being a transfer and relieving order in his favour, Respondent Nos. 3 and 4 have not actually relieved him and, therefore, he has submitted several request representations to the Respondents.

3. The learned Advocate appearing for Respondent Nos. 2 to 5 submits that, the transfer order had a condition that, before the Petitioner gets relieved from the existing post, he will have to clear the entire loan that was obtained by the Petitioner. He argues that, as the loan amount has not been repaid by the Petitioner, the Petitioner was not actually relieved in accordance with the transfer order and the relieving order.

4. We have perused the copy of the transfer order, and the condition that has been referred to by the learned Advocate for the Respondent Nos. 2 to 5. In a transfer order, any kind of such condition is absolutely absurd and unjustifiable. Even after obtaining transfer from one district to another, the Petitioner continues to be in service and, therefore, any loan amount which he has taken can be recovered in the manner as prescribed under the law. Even the transfer order clearly mentions that, wherever any loan amount is due it should be reflected in his last drawn Salary Certificate. For the said purpose, holding the transfer and relieving order of the Petitioner and by not allowing him to

join the duties at his transferred post, is absolutely unacceptable and the action of the Respondents is highly condemned. We accordingly direct the Respondents to relieve the Petitioner within a period of Forty Eight (48) hours from today. With this direction, the Writ Petition is disposed off.

5. Parties to act upon the authenticated copy of this order.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

SG Punde