

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

WRIT PETITION NO.15913 OF 2025

Kishor Mahadev Patil & Ors.Petitioners

Versus

The State of Maharashtra & Ors.Respondents

Ms. Preeti Walimbe a/w. Mr. Mayank Tripathi for the Petitioners.

Ms. M.P. Thakur, AGP for the Respondent – State.

Mr. Ajit M. Savagave (through video conferencing) a/w.

Ms. Samruddhi Kulkarni for Respondent No.3.

CORAM : RAVINDRA V. GHUGE

&

ABHAY J. MANTRI, JJ.

DATE : 5th FEBRUARY, 2026

P.C. :-

1. We have heard the learned Advocates for the Petitioners, the Zilla Parishad, and the learned AGP for the State Authorities.

2. A peculiar situation is before us. These Petitioners are those employees of the Palghar ZP, which was earlier a part of the Thane Zilla Parishad, before the new Palghar District was carved out and a new Zilla Parishad for Palghar District was established. This has happened in 2014. In 2023, these Petitioners requested the Zilla Parishad for an Inter District Transfers for various reasons, for example, specially abled persons, medical cases in the family,

couple convenience, etc. They were issued Inter District Transfer orders on 30th December, 2023 by the State Government, which is the competent Authority. However, since both, the Thane as well as the newly formed Palghar Zilla Parishad were short of employees, a recruitment drive was undertaken for the Palghar Zilla Parishad.

3. After the recruitment drive was completed, those employees from the erstwhile Thane Zilla Parishad, who had volunteered to come to Palghar to assist the Palghar Zilla Parishad, sought repatriation to the Thane Zilla Parishad. Since such candidates had approached this Court seeking repatriation in the light of the recruitment made for the Palghar Zilla Parishad, this Court passed various orders in such matters, some of which are placed on record from page nos.247 to 260. Consequently, those who desired to go back to Thane, in the light of the new recruitment made in Palghar, were repatriated, and the new appointees were inducted in employment in the Palghar Zilla Parishad. A period of almost two years was consumed in this entire process.

4. The learned Advocate for the Petitioners before us submits that those who had peculiar reasons seeking Inter District Transfers as in 2023, who were issued transfer orders which could

not be effected due to the above-stated factors, now find that those peculiar reasons for transfer no longer exist in some cases. Therefore, a request is made that those who now desire to withdraw their Inter District Transfer request, be permitted to make a request to the State Government in writing for considering these circumstances and recall the transfer orders. Those who still desire to be transferred Inter District, whose transfer orders were issued in 2023, may be permitted to be relieved by the Palghar Zilla Parishad so as to join those Zilla Parishads where the transfers were effected two years ago.

5. The learned Advocate for the Palghar Zilla Parishad has a sustainable argument. He submits that the process for approving the Inter District Transfers is long drawn. Now the said process is conducted online. The Zilla Parishad where a particular candidate desires a transfer, has to indicate availability of vacancies and grant its no objection, and the parent Zilla Parishad also has to grant a no objection for facilitating such Inter District Transfers. While doing so, the parent Zilla Parishad has to assess whether it has sufficient employees which would permit acceptance of the request of Inter District Transfers. After a space of two years, it would be difficult to foresee vacancies which were earlier available with the other Zilla

Parishads where the Petitioners had sought Inter District Transfers and, therefore, this issue will have to be revisited to assess whether such Inter District Transfers could be facilitated.

6. In view of the above, **this Petition is disposed off** with the following directions:

(a) Those Petitioners and similarly situated employees from the Palghar Zilla Parishad, who had earlier sought Inter District Transfer for particular reasons, who presently do not desire to press those reasons, would tender written applications to the Palghar Zilla Parishad praying for leave to withdraw the request for Inter District Transfer, within a period of 15 working days from today;

(b) The Palghar Zilla Parishad shall take a call on each of such requests and enter into expeditious and quick interaction / correspondence with the Rural Development Department. Such correspondence seeking inputs from the Rural Development Department, would be completed in the cases of these Applicants, within 15 days from the date of receipt of their applications;

(c) Wherever possible, the Rural Development Department would consider the cases of the Applicants in coordination with the Palghar Zilla Parishad and accept the requests for cancellation of such Inter District Transfers, as expeditiously as possible and preferably on or before 15th April, 2026, keeping in view the Annual General Transfers to be carried out under a policy of the State Government between April and May of each year;

(d) With regard to those candidates who were issued Inter District Transfer orders and were not relieved because of peculiar circumstances recorded herein above, the Palghar Zilla Parishad is at liberty to get in touch with those Zilla Parishads where such candidates were already transferred in 2023, and if the vacancies are still available and the Palghar Zilla Parishad has sufficient employees, the order of relieving such candidates could be passed;

(e) In the event of change in circumstances over the period of the last two years, which is quite possible in the light of the submissions of the learned Advocate for the Palghar Zilla Parishad, such candidates would be reconsidered for Inter District Transfers to the same Districts where they had earlier sought such transfers, by following the due procedure, only to ensure that there is no deadlock (in the sense that, for example; such a candidate is relieved from Palghar only to find that his transfer at a particular Zilla Parishad, for example Kolhapur, cannot be effected since the vacancy no longer exists at Kolhapur Zilla Parishad due to the passage of two years);

(f) Insofar as relieving those candidates for whom there is no legal impediment for Inter District Transfer on the basis of the transfer orders issued on 30th December, 2023, this process should be completed by 31st May, 2026 so as to enable the candidates to commence teaching or their employments in whichever faculty, for the Academic Year June 2026 – May 2027.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)