

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 17532 OF 2025

The State of Maharashtra  
Through Additional Chief  
Secretary Co. Op. Marketing  
and Textile Department

...Petitioner

Vs.

Nilima Vijaykant Gaikwad

...Respondent

\*\*\*\*\*

Shri N. C. Walimbe, Addl. GP Smt. Ashwini A. Purav - AGP for the  
Petitioner-State

Mr. Sanjay Kshirsagar – Advocate for the Respondent

\*\*\*\*\*

CORAM : M. S. KARNIK AND  
S. M. MODAK, JJ.

DATE : 28<sup>th</sup> JANUARY 2026

P. C. :-

1. What is under challenge in this petition is the interim order passed by the Tribunal on 25.04.2025, staying order of transfer of the Respondent. We have heard learned AGP.

2. We have perused the impugned order. Since the order dated 25.04.2025 was passed by the Tribunal, Respondent continues to work on the post from where she is sought to be transferred by the

order impugned before the tribunal.

3. At this distance of time, in our opinion, the ends of justice will be met, if the tribunal is requested to decide the original application bearing no. 423 of 2025, finally on its own merits and in accordance with law within a period eight weeks from 02.02.2026.

4. The Petitioner as well as the Respondent No. 2 to appear before the Tribunal on 02.02.2026 alongwith a copy of this application.

5. Learned AGP submitted that observation made in the interim order should not influence the Tribunal when the matter is heard finally. Needless to mention that the observations made by the tribunal in the impugned order are in aid of interim order passed by the Tribunal which is *prima-facie* in nature. The Tribunal to consider the original application on its own merits and in accordance with law without being influenced by the observations in the impugned order.

6. By keeping all the contentions open, the Writ Petition is disposed of.

7. Ad-interim relief granted earlier to continue till the next date.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)