



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6743 OF 2026

WITH

INTERIM APPLICATION NO. (ST) NO. 12878 OF 2026

The Director Finance Maharashtra
Stale Electricity Distribution Company
Limited And Ors

...Petitioners

V/s.

Ravindra Yadavrao Gaikwad

...Respondent

Mr. Dheer Sampat i/b Mr. M. V. Kini and Co. for Petitioner.

Mr. Ravindra Vishnu-Laxmi Sankpal with Mr. C. V. Ambilwade for
Respondent.

CORAM: SANDEEP V. MARNE, J.

DATED: 11 JUNE 2026.

P.C.:

1) The Petition challenges judgment and order dated 13 October 2025 passed by the Member Industrial Court, Pune partly allowing Complaint (ULP) No. 244 of 2019 and directing the Petitioners to treat the request transfer order dated 19 June 2019 of the Respondent as cancelled with further direction for restoration of his seniority on account of cancellation of transfer.

2) I have heard Mr. Sampat, the learned counsel appearing for Petitioner and Mr. Sankpal, the learned counsel appearing for Respondent and have considered the submissions canvassed by them.

3) It appears that while working as Upper Division Clerk (UDC) in Ahmednagar circle under Nashik zone, Respondent submitted an online submission via HRMS system for his transfer to Pune. Acting on his request, Petitioner issued transfer order dated 19 June 2019 transferring the Respondent as UDC in Pune zone with mark 'transfer on own request in same capacity'. However, it appears that Respondent immediately submitted Application dated 25 June 2019 for cancellation of his transfer citing the reason of his mother's illness. It appears that Respondent reported to Pune on 4 July 2019. It appears that Respondent's request for cancellation of his transfer from Ahmednagar to Pune was not accepted and accordingly he approached Industrial Court by filing Complaint ULP No. 244 of 2019. During pendency of the complaint, it appears that Respondent was finally transferred to the Ahmednagar circle after about four years on promotion as Assistant Accountant. The grievance of the Respondent was that he was made to lose his seniority on account of transfer to Pune zone by order dated 19 June 2019.

4) The Industrial Court has compared the case of Petitioner with that of Ms. Rasika Kulkarni, who was also transferred vide order dated 18 June 2019 from Aurangabad zone to Akola zone. She had also requested for cancellation of transfer by citing the reason of ailment of her mother. While the Competent Authority used discretion in the case

of Smt. Rasika Kulkarni and cancelled her request transfer, similar treatment was apparently not given to the Respondent. The Industrial Court has found this action of the Petitioner to be discriminatory.

5) The only effect of the impugned order passed by the Industrial Court is to ensure that Respondent does not lose his seniority on account of request transfer made to Pune vide order dated 18 June 2019. Otherwise Respondent has been re-posted to Ahmednagar and continues to work there. As a neutral employer, Petitioner need not be concerned in seniority disputes. Since Respondent immediately requested for cancellation of his transfer, as was done in the case of Ms. Kulkarni, direction of the Industrial Court for grant of similar treatment to the Petitioner appears to be in order.

6) Considering the above position, I am not inclined to exercise extraordinary jurisdiction under Article 227 of the Constitution of India to interfere in the impugned order of the Industrial Court.

7) Writ Petition is accordingly **rejected**.

8) Interim Application **disposed of**.

[SANDEEP V. MARNE, J.]