



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3447/2025

Dr. Nilesh s/o Narendra Uplopwar

Vs.

Maharashtra State Power Generation Co. Ltd., (MAHAGENCO), through its Managing
Director, Mumbai and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri J.B. Kasat, Advocate for petitioner
Ms Snehalata Sahasrabuddhe, Advocate for respondent Nos.1 to 3
Shri Sandeep Tiwari, Advocate or respondent No.4

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 12.03.2026

1. The petitioner, who is an employee of respondent No.1 – Maharashtra State Power Generation Company Limited, came to be transferred vide order dated 02.06.2025 from Chandrapur to Khaparkheda as a Medical Officer, which is impugned in the present writ petition.

2. The challenge is made on the ground that, as per the policy of respondent No.1 dated 20.03.2025, it is binding on the respondent Company to publish the list of employees proposed to be transferred, and whereupon, liberty is granted to the employees to seek exemption from transfer if the ward of such employee is studying in the 10th to 12th standard.

3. It is the case of the petitioner that on the date of transfer, the daughter of the petitioner was studying in the 10th Standard and now she is studying in the 11th Standard. It is submitted that, as per the said policy, the petitioner

cannot be transferred till his daughter completes the 12th Standard.

4. It is further submitted that his son would be admitted to the 10th Standard this year and, therefore, till the time his son completes the 12th Standard, he shall not be transferred.

5. We do not find merit in the said submission for the reason that Clause 8 does not provide that no transfer shall be made in respect of an employee whose child or children is/are studying in the 10th to 12th Standard. It merely grants liberty to such employee to make an application seeking exemption from transfer.

6. Admittedly, since the name of the petitioner was not included in the list of employees proposed to be transferred, the petitioner could not make such an application prior to the transfer as contemplated under Clause 8 of the policy dated 28.03.2025. However, after the transfer, the petitioner made such an application on 17.06.2025, which is placed at page 40 of the paper book.

7. It is to be noted that the petitioner has completed 12 years at Chandrapur and, as per the policy, an employee can generally be retained at one place for a maximum period of 10 years. Thus, there is no doubt that the petitioner is liable to be transferred out of Chandrapur. However, except for the ground that his daughter and son are studying in the 11th and 10th Standard respectively, there is no other ground to seek any relief.

8. It is pertinent to note that despite the order dated 02.06.2025, transferring the petitioner from Chandrapur to Khaparkheda, he was not relieved till recently. Today, learned Counsel for respondent No.1 makes a statement that on 26.02.2026 the petitioner has been relieved.

9. Be that as it may, the application of the petitioner under Clause 8 seeking exemption from transfer on the ground that his son and daughter are studying in the 10th and 11th Standard is pending with respondent No.1. In the circumstances, the purpose would be served if a direction is issued to respondent No.1 to decide the said request of the petitioner.

10. In view of the above referred policy, we dispose of this writ petition with a direction to respondent No.1 to decide the representation of the petitioner dated 17.06.2025 within a period of four weeks from today.

11. Learned Counsel for respondent No.1 undertakes to communicate this order to respondent No.1.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)