



N THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3124 OF 2026

Sau. Madhuri Nandkishor Shelke

Vs.

State of Maharashtra & Ors.

*Office Notes, Office Memoranda of Coram,
Appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. N.S. Warulkar, Advocate for the Petitioner.

Ms. T.H. Khan, AGP for Respondent Nos.1 to 3/State.

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

DATE : 18.04.2026

Heard Mr. N.S. Warulkar, learned counsel for the petitioner, and Ms. T.H. Khan, learned AGP for respondent Nos.1 to 3/State.

2. The petitioner has approached this Court, being aggrieved by the findings recorded by the learned Maharashtra Administrative Tribunal in paragraph 8 of the impugned judgment dated 1st April, 2026 in O.A. No.21/2025. The said O.A. was filed by the petitioner seeking a direction to the respondents to grant a mid-term transfer to Akola. The ground raised for such mid-term transfer was the policy adopted by respondent No.1 – State of Maharashtra vide Government Resolution dated 9th April, 2018 regarding the unification of husband and wife at one place of posting.

3. The learned Tribunal, while disposing of the aforesaid O.A., observed that the respondents may take into account the request of the petitioner for pre-mature transfer in the next

annual transfer, but not at present. However, while observing so, the learned Tribunal also noted that the petitioner had joined at Washim on 24th October, 2024 and had not completed the requisite tenure, and therefore was not due for transfer, her request being for a pre-mature transfer.

4. Learned counsel for the petitioner submits that though the learned Tribunal has observed that the respondents may consider the petitioner's request in the next annual transfer, such a finding is likely to prejudice the petitioner, and the respondents may not consider her request on the sole ground that it is pre-mature, as observed by the learned Tribunal in paragraph 8 of the impugned judgment.

5. In view of the above, we dispose of the present writ petition with a direction to respondent Nos.2 and 3 to consider the application made by the petitioner for transfer, if made, in pursuance of the policy adopted by respondent No.1 vide Government Resolution dated 9th April, 2018 (at record page No.78) for husband-wife unification, without being influenced by the aforesaid finding that the request is pre-mature. Respondent Nos.2 and 3 shall decide the same on its own merits and in accordance with the said policy.

6. The writ petition is accordingly disposed of. No costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Vijaykumar