



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 3696/2026

Shri Tekram S/o Narayan Bisen,
Aged about 45 years, Occ.
Service, R/o. Qtr. No. 4/1621,
Ward No. 4, Angur Bagicha
Police Colony, In front of Mata
Mandir, Gondia, Tah. & District
Gondia.

.....PETITIONER(S)

// VERSUS //

(1) The State of Maharashtra,
Through its Secretary,
Department of Soil and Water
Conservator, Mantralaya,
Mumbai-32.

(2) The State of Maharashtra,
Through its Secretary,
Department of Rural
Development, Mantralaya,
Mumbai-32

(3) The Commissioner, Department
of Soil and Water Conservation,
Chhatrapati Sambhaji Nagar,
Tah. & District Chhatrapati
Sambhaji Nagar.

(4) The Chief Executive Officer,
Zilla Parishad, Gondia, Tah. &
District Gondia.

.....RESPONDENT(S)

.....
Shri G.G. Bade, Advocate for the Petitioner(s)
Ms. H.S. Dhande, AGP for the Respondent/State
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CORAM : M.S. JAWALKAR & NANDESH S. DESHPANDE, JJ.
MAY 04, 2026

ORAL JUDGMENT :- (PER:- M.S. JAWALKAR, J.)

. Heard learned Counsel for the respective parties.

(2) By this Writ Petition, the Petitioner is only seeking direction against the Respondent No. 4 – Chief Executive Officer to decide the said Representation dated 23/07/2025 submitted by the Petitioner.

(3) The Petitioner is an Ex-Servicemen and retired from Army. He was appointed as a Civil Engineer Assistant by the Respondent No. 4 vide order dated 06/07/2012.

(4) The Respondent No. 2 – State of Maharashtra, Department of Rural Development issued a Government Resolution dated 31/05/2017 by virtue of which the Rural Development Department and Water Conservation Department came to be bifurcated as Rural Development Department and

other Soil and Water Conservation Department. Pursuant to the Government Resolution dated 11/10/2018, the power to appoint and promote the Group B employees is vested with the Respondent No. 3 – Commissioner, Department of Soil and Water Conservation.

(5) On 27/08/2021, the Respondent No. 4 – Chief Executive Officer, Zilla Parishad, Gondia promoted the Petitioner to the post of Junior Engineer, and accordingly, posted the Petitioner to the Minor Irrigation Department. The Minor Irrigation Department is merged with the Soil and Water Conservation Department.

(6) It is the contention of the Petitioner that the Respondent No. 4 – Chief Executive Officer, while promoting the Petitioner, should not have posted him from the Public Works Department, Zilla Parishad, Gondia to the Minor Irrigation Department, as the Minor Irrigation Department is a State Cadre Department.

(7) Accordingly, the Petitioner moved a Representation dated 23/07/2025 before the Respondent No. 4 – Chief Executive

Officer for the purpose of modification of posting from Minor Irrigation Department to the Public Works Department.

(8) In view of the limited prayer sought by the Petitioner, the Writ Petition is **allowed**.

(9) The Respondent No. 4 – Chief Executive Officer, Zilla Parishad, Gondia is hereby directed to decide the Representation of the Petitioner dated 23/07/2025 within a period of three weeks from the date of receipt of copy of this judgment.

The Writ Petition stands **disposed of** in the above terms. Pending Application(s), if any, stand(s) **disposed of**.

(NANDESH S. DESHPANDE, J.)

(M.S. JAWALKAR, J.)