

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

WRIT PETITION NO. 599 OF 2023

Prabhudas s/o Punnayya Sadamwar

..VS..

State of Maharashtra & others

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

Court's or Judge's orders

Mr. P.D. Meghe, Advocate for the petitioner.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ

DATED : JANUARY 24, 2023

By common order of transfer issued on 19.08.2022 the petitioner and one Shri Ghotkar who were working as Assistant Project Officer (Education) came to be transferred. Insofar as Shri Ghotkar is concerned, the Maharashtra Administrative Tribunal, Nagpur on 23.09.2022 was pleased to direct the stay of the impugned order subject to the said employee not being relieved. Insofar as the petitioner is concerned, the fresh order of posting was issued on 24.11.2022. On that basis, the Tribunal on 01.12.2022 refused to grant any interim relief as the petitioner had been relieved as per that order. The petitioner thereafter filed Civil Application No. 527 of 2022 stating therein that he had not been relieved and hence the order of transfer be stayed. This application has been rejected by the Tribunal by observing that nothing new was brought on record by the petitioner.

Issue notice to the respondents returnable on 07.02.2023.

Learned In-charge Government Pleader Mr. A.M. Deshpande waives service of notice for respondents.

In the light of the statement made by the petitioner that even today he has not been relieved from his earlier post, the position as prevailing today shall be maintained till the returnable date.

Hamdast is granted.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

Kirtak