

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI  
BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 256 OF 2021**

DISTRICT: - HINGOLI.

**Smt. Priya Ashokrao Salve,**  
Age-34 years, Occu. : Service  
(as Forester, Waranga, Hingoli Forest  
Division), R/o: C/o: Shri Balu Patil,  
Dongarkada, Tal. Kalamnuri,  
Dist. Hingoli. (Mob.) 9175264208

.. APPLICANT.

**V E R S U S**

- 1) The Principal Chief Conservator of Forest (Van Bal Pramookh),**  
M.S., Vanbhavan, Ramgiri Road,  
Civil Line, Nagpur – 440 001.
- 2) The Conservator of Forest**  
(Territorial), Aurangabad,  
'Vanbhavan', Osmanpura,  
Station Road, Aurangabad-05.
- 3) The Divisional Forest Officer,**  
Forest Division Hingoli,  
Van Bhavan,  
Near Railway Crossing,  
Kalamnuri Road, Hingoli.
- 4) The Range Forest Officer**  
(Territorial), Hingoli,  
Near Railway Crossing,  
Nanded Road, Hingoli.

.. RESPONDENTS.

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**APPEARANCE** : Shri. Avinash S. Deshmukh, learned  
Advocate for the applicant.

: Shri B.S. Deokar, learned Presenting  
Officer for the respondents.

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**CORAM** : **V.D. DONGRE, MEMBER (J)**  
**DATE** : **09.12.2021**  
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### **ORDER**

This Original Application has been filed by the applicant invoking jurisdiction of this Tribunal under Section 19 the Administrative Tribunals Act, 1985, challenging impugned order / communication dated 1.6.2021 (Annexure 'A-5') issued by respondent No. 2 i.e. the Conservator of Forest, thereby it is stated that respondent No. 1 i.e. Additional Chief Conservator of Forest (Administration Secondary Cadre) as per power conferred upon him by the Government Resolution dated 11.1.2018 (Annexure 'A-1', page-136 of paper book) granted approval for transfer of the applicant from the post of Forester, Waranga, Hingoli Forest Division to the post of Forester at Jintoor under the Social Forestry Division Parbhani.

2. The applicant entered in Government service of Government of Maharashtra in its Forest Department on 11.04.2008 as a Forest Guard in Group-C / Class-III category. On 19.9.2019 she was promoted from the cadre of

Forest Guards to the cadre of Foresters in Group-C / Class-III category under an order issued by the respondent No. 2 i.e. the Chief Conservator of Forest (Territorial), Aurangabad (Annexure 'A-1'). Hence, she was working under the control of respondent No. 4 i.e. the Range Forest Officer (Territorial), Hingoli. She reported at Waranga for joining on 31.10.2019. Pursuant to that order she was relieved on 31.10.2019 as per relieving order dated 31.10.2019 (Annexure 'A-2') issued by the Range Forest Officer, Social Forestry Range Bhokar. As per joining report dated 2.11.2019 (Annexure 'A-3'), she joined at her present post at Waranga. However, within the period of 1 year and 7 months, the impugned order / communication dated 1.6.2021 (Annexure 'A-5') came to be issued by respondent No. 2. Though the effect of the said order is of transfer, it is not transfer order, as it only speaks of approval by the supposedly next higher authority. Hence, necessarily, according to the applicant, it is midterm and mid-tenure order amounting to her transfer.

3. It is contended that at that point of time the transfers were governed as per parameters laid down in the Government Resolution dated 10.5.2021 (Annexure 'A-4').

However, as per the said Government Resolution general transfers, transfers due to exceptional circumstances, as well as, special reasons were banned and transfers were permissible only for three reasons mentioned therein. The first reason thereof was filling the vacant post on account of superannuation; secondly filling vacant post in order to prevent COVID-19 pandemic; and thirdly subject to satisfaction of the Competent Transferring Authority regarding serious complaint with supporting material made against such incumbent. According to the applicant, none of the grounds exists in her case. The respondent No. 2, who is Competent Transferring Authority, has not followed the obligations cast upon him before issuing the impugned order/ communication. In view of the same, the impugned order / communication is baseless, illegal and unsustainable in the eyes law being in violation of the provisions of Section 4 (4) (ii) and 4 (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for short hereinafter called as "the Transfer Act of 2005"). Hence, this Original Application.

4. Initially, the affidavit in reply is filed by Shri Vishwanath Baburao Tak, Range Forest Officer, Territorial Division,

Hingoli, supposedly authorized by the respondent Nos. 3 & 4 and thereafter the same deponent has filed another affidavit in reply ad verbatim on behalf of respondent Nos. 1 to 4. Thereby the adverse contentions raised in the Original Application are denied. However, there is no dispute of issuance of the impugned order / communication dated 1.6.2021 (Annexure 'A-5') issued by the respondent No. 2, on completion of the tenure of the applicant as Forester at Waranga for about 1 year and 7 months.

- (i) In nutshell it is thereby stated that the impugned order/ communication dated 1.6.2021 is issued by the respondent No. 2 by invoking reasons mentioned in Clause-03 of paragraph No. 2 of Government Resolution dated 10<sup>th</sup> May, 2021 referred to by the applicant at Annexure 'A-4', which is as follows: -

*“३) शासकीय कर्मचा-याच्या विरोधात गंभीर स्वरुपाची साधार तक्रार प्राप्त झाल्यामुळे बदली करणे आवश्यक असल्याची बदली करणा-या सक्षम प्राधिका-याची खात्री पटल्यास करावयाची बदली.”*

- (ii) It is further specifically stated that serious complaints against the applicant regarding her functioning were received from the public representatives namely local

MLA, Vice President, Zilla Parishad, Hingoli, Member of Zilla Parishad, Sarpanch of nearby villages and the staff working under the applicant. All of them stated that the applicant is working arbitrarily and thereby the working in the said range is being adversely affected and the applicant is required to be transferred from there to protect interest of the public at large and the forest range.

(iii) It is further stated that the respondent No. 4, the Range Forest Officer (Territorial), Hingoli after receipt of those complaints conducted preliminary enquiry and recorded statements of various witnesses and submitted report dated 22.4.2021 at Exhibit R-II collectively to the respondent No. 2. Respondent No. 2, who is Competent Transferring Authority of the applicant by seeking approval of the Civil Services Board-II, forwarded the proposal of transfer for requisite approval to the respondent No. 1. Office of respondent No. 4 by communication dated 31.5.2021 (Exhibit 'R-I') approved proposal of transfer of the applicant. Accordingly, the impugned order / communication dated 1.6.2021

referred to by the applicant as Annexure 'A-5' was issued by observing the provisions of Section 4 (4) (ii) and 4 (5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (for sort hereinafter called as "the Transfer Act of 2005"). As such, the said impugned order / communication dated 1.6.2021, which is transfer order of the applicant is legal and proper. It does not contravene the provisions of Section 4 (4) (ii) and 4 (5) of the Transfer Act of 2005. Hence, the Original Application is liable to be dismissed.

5. The applicant has filed affidavit in rejoinder and has denied all the adverse contentions raised in both the affidavits in reply and contended that in terms of Section 4 (5) r/w Section 6 of the Transfer Act of 2005, the approval of the Minister-in-charge in consultation with Secretary of the concerned Department is necessary. The contentions raised on behalf of the respondents in terms of Government Resolution dated 11.1.2018 that the respondent No. 1 is immediate superior authority of the respondent No. 2 as contemplated under Section 4 (5) of the Transfer Act of 2005

is totally misconceived and unsustainable in law. According to the applicant, immediate superior authority of the respondent No. 2 is governed by Section 6 of the Transfer Act of 2005 and as per the said provision the respondent No. 2 is Competent Transferring Authority of the applicant being head of the department as contemplated under Clause (c) of Section 6 and, therefore, the superior authority of the said head of the department would be Minister-in-charge in consultation with the Secretary of the concerned department, as per clause (b) of the Transfer Act of 2005. Moreover, proviso of Section 6 provides that Competent Transferring Authority specified in the table by general or special order can delegate its powers under this section to any of its subordinate authority. Government Resolution dated 11.1.2018 is not issued by the authority specified as the Competent Transferring Authority. Hence, the said document is misconceived and inapplicable in the present case. In the circumstances, according to the applicant, the contentions raised by the applicant justifying the impugned order / communication dated 1.6.2021 on the basis of G.Rs. dated 10.5.2021, 11.1.2018 and provisions of Section 4 (4) (ii) and 4 (5) of the Transfer Act of 2005 are totally misplaced and



misconceived and not sustainable in the eyes of law. The applicant has placed on record a copy of G.R. dated 11.1.2018 relied upon by the respondents at Annexure 'A-1' to rejoinder. The applicant has also placed on record G.R. dated 11.2.2015 at Annexure 'A-2' with the rejoinder, which provides general parameters for effecting mid-tenure and midterm transfer.

6. I have heard the arguments advanced by Shri Avinash S. Deshmukh, learned Advocate for the applicant on one hand and Shri B.S. Deokar, learned Presenting Officer for the respondents on the other hand.

7. Learned Advocate for the applicant has advanced arguments inconsonance with factual and legal submissions raised in the Original Application and the rejoinder and supporting documents. In nutshell, it is contended on behalf of the applicant that in the first place the impugned order / communication dated 1.6.2021 (Annexure 'A-5') does not speak of actual transfer of the applicant but speaks namely of the supposedly approval of the respondent No. 1 as per Government Resolution dated 11.1.2018. In fact, the impugned order / communication dated 1.6.2021 will have to

be considered on its tenability on the touchstone of the parameters laid down in Government Resolution dated 10.5.2019 (Annexure 'A-4'), which bans general transfers, as well as, midterm and mid-tenure transfers on account of exceptional circumstances or special reasons. Such transfers were banned till 30<sup>th</sup> June, 2021. In view of the same, invoking provisions of Section 4 (4) (ii) and 4 (5) of the Transfer Act of 2005 would be beyond parameters laid down in Government Resolution dated 10.5.2021.

8. Alternatively, it is submitted on behalf of the applicant that if the provisions of Section 4 (4) (ii) and 4 (5) of the Transfer Act of 2005 are invoked then approval of immediate superior authority, which is only governed by Section 6 of the Transfer Act of 2005 will have to be obtained. In that case, the Government Resolution dated 11.1.2018 produced at Annexure 'A-1' to the affidavit rejoinder of the applicant cannot override the provision of Section 6, which provides the hierarchy. In the submission of the learned Advocate for the applicant, the immediate superior authority of the respondent No. 2, who is Competent Transferring Authority in this case being head of the department is the Minister-in-charge in

consultation with the Secretary of the concerned department as stated in clause (b) of the Section 6 of the Transfer Act of 2005. Learned Advocate for the applicant in order to substantiate the said submissions has placed reliance on the decision of the Principal Seat dated 27.8.2021 passed in O.A. No. 528/2021 [Shri Dattatray Bhagwan Mundhe Vs. Government of Maharashtra & Ors.]. In paragraph No. 12 of the said judgment it is laid down as follows: -

“12. Considered submissions. Though under the proviso to Section 6 the power of delegation vests with the competent authority however Section 4(5) is a controlling section in the event of mid-tenure transfer, therefore when such transfer is made then the power vested with the authorities incorporated in table of Section 6, cannot be delegated. I rely on para 10 of the judgment in R.A. Morwadkar (supra) which reads as under:

10. The impugned order dated 30.5.2015 is purportedly passed under the provisions of section 4(4)(ii) and 4(5) of the Transfer Act. As the order was passed in the month of May, (i.e. on 30.5.2015), there was no need to invoke section 4(4)(ii). However, invoking section 4(5) clearly shows that the Applicant had not completed their tenures. As per

section 4(5) of the Transfer Act, such transfers can be made with the prior approval of the 'immediately superior Transferring Authority' mentioned in the table of Section 6, in special cases. Admittedly, the 'Transferring Authority' as per section 6 of the Transfer Act is 'Minister-in-charge in consultation with Secretaries of the concerned Departments". Second proviso to section 6 reads:-

“Provided further that the Competent Transferring Authority specified in the table may be general or special order, delegates its power under this section to any of the subordinate authority.”

Section 6 deals with Transferring Authority and powers to transfer employees of various categories to be exercised by such authorities. This section does not deal with transfer envisaged in section 4 of the Transfer Act, which are so to say extraordinary powers. The terms used in section 4 and 'next higher authority' and 'immediately superior Transferring Authority'. Prior approval of these authorities in writing is required in exceptional circumstances or for special reasons. However, after prior approval is given, the order issued by the Transferring Authority will be valid. Second proviso to section 6 permits delegation of powers under that section only. It cannot be enlarged to include

delegation of powers of authorities mentioned in section 4(4)(ii) and 4(5), who are not the Transferring Authorities. Learned Counsel for the Applicant contended that section 4 of the Transfer Act deals with cases, where extraordinary powers are being exercised and if such powers are delegated to lower level functionaries, the very purpose of enacting the Transfer Act would be defeated. I agree with his contention fully. The law does not provide for delegation of powers of the authorities under section 4(4)(ii) and 4(5) of the Act and transfer under these sections will have to be with the approval of original authorities mentioned in Table of Section 6, and not by the authorities to whom powers have been delegated, as was done by circular dated 5.12.2014. The impugned order has not been issued with the approval of Hon'ble Chief Minister as required under section 4(5) of the Transfer Act and is unsustainable.”

Thus the issue is not res integra on the ground of delegation of powers and approval of immediately superior transferring authority under Section 4(4) and 4(5) of the Transfer Act. Hence, both the orders of transfer will have to be quashed and set aside.”

9. Learned Advocate for the applicant further submitted that even if the alleged complaints date 22.4.2021 and report of the respondent No. 4 are taken into consideration that does not show that the respondent No. 2, who is Competent

Transferring Authority has done anything to satisfy himself about the veracity and supporting material of the alleged complaints. Respondent No. 2 has just forwarded the report received by him from respondent No. 3 to the respondent No. 1. Respondent No. 3 had received that report from respondent No. 4. In view of the same, according to him, parameters laid down in clause 03 of paragraph 2 of Government Resolution dated 10.5.2021 are not complied with and, therefore, also the impugned order is unsustainable in law.

10. On the other hand, learned Presenting Officer appearing on behalf of the respondents strenuously urged before me that the respondent No. 2 is the Competent Transferring Authority of the applicant is not in dispute. The Government Resolution dated 11.1.2018 relied upon by the respondents is issued by the Government delegating powers under the Transfer Act of 2005 in accordance with the provisions of the Section 4 (4), 4 (5) and 6 of the Transfer Act of 2005. The arguments advanced on behalf of the applicant in that regard, according to him, are misplaced. In fact, the respondents have taken due care of placing the matter before the Civil

Services Board in accordance with Section 4 (4) & 4 (5) of the Transfer Act of 2005. The respondent No. 1, who is immediate superior authority of Competent Transferring Authority i.e. respondent No. 2 has issued approval for the transfer. Hence, the impugned order / communication dated 1.6.2021 is legal and proper and cannot be disturbed.

11. After having considered the rival submissions as above, if the impugned order / communication dated 01.06.2021 (Annexure A-5) is taken into consideration, it is evident that it would be governed by the parameters laid down in the Government Resolution dated 10.05.2021 (Annexure A-4) issued by the General Administration Department and Government Resolution dated 11.01.2018 (Annexure A-1 to the rejoinder affidavit, page No. 136 of paper book) issued by the Revenue and Forest Department. Though G.R. dated 11.01.2018 (Annexure A-1 to the rejoinder affidavit, page No. 136 of paper) is produced by the applicant, in fact, the reliance is placed upon it by the respondents, who have mentioned the said G.R. in the impugned order/ communication dated 01.06.2021 (Annexure A-5).

12. The G.R. dated 11.01.2018 (Annexure A-1 to the rejoinder affidavit, page No. 136 of paper) is issued as per

second proviso of Section 6 of the Transfer Act of 2005.

Second proviso to Section 6 of the said Act is as follows :-

**“6. Transferring Authority**

*Provided further that, the Competent Transferring Authority specified in the table may, by general or special order, delegate its power under this Section to any of its subordinate authority.”*

As per this G.R., the competent transferring authority for Government servant in C and D category in the said department are stated to be Conservator of Forest (Territorial) (respondent No. 2 herein) and Conservator of Forest (Wild Life) whereas the Immediate Superior Officer as contemplated under Section 4(4) and 4(5) of the Transfer Act of 2005 in the said category is the Additional Chief Principal Conservator of Forests i.e. the respondent No. 1.

13. In the case in hand, the impugned order/ communication dated 01.06.2021 (Annexure A-5) is having the effect of transfer of the applicant from the post of Forester, Waranga, Hingoli Forest Division to the post of Forester, Jintoor, Social Forestry Division, Parbhani. If this impugned order / communication dated 01.06.2021



(Annexure A-5) is scrutinized in the background of the G.R. dated 10.05.2021 (Annexure A-4), it is seen that as per the said G.R. issued by the G.A.D. till 30.06.2021, the general transfers as well as transfers to be effected under exceptional circumstances or for special reasons were banned and transfers during the said period till 30.06.2021 were made permissible only under three following circumstances as stated in para No. 2 therein :-

- “१) सेवानिवृत्तीमुळे रिक्त होणारी पदे भरणे.  
 २) कोरोना प्रादुर्भाव रोखण्यासाठी अत्यावश्यक सेवेतील रिक्त पदे भरणे.  
 ३) शासकीय कर्मचा-यांच्या विरोधात गंभीर स्वरूपाची साधार तक्रार प्राप्त झाल्यामुळे बदली करणे आवश्यक असल्याची बदली करणा-या सक्षम प्राधिका-याची खात्री पटल्यास करावयाची बदली.”

14. Considering the contentions raised in the affidavit in reply, it is seen that the respondents have come out with the case that the applicant has been transferred due to reasons mentioned in clause 3 of para No. 2 of the G.R. dated 10.05.2021 (Annexure A-4). It is stated that serious complaints were received against the applicant about her functioning from various public representatives, villagers and sub-ordinate staff working under the applicant. It is also a fact that by that time, the applicant had completed only

tenure of one year and seven months. Hence, this is mid-tenure order as well as it is midterm transfer under specified circumstances, as general transfers were banned till 30.06.2021.

15. As regards the veracity of the complaints against the applicant, the respondents have relied upon the report dated 22.04.2021 (part of Exhibit R-1) produced at pages no. 92 to 117 of paper book annexed with affidavit in reply of respondent Nos. 1 to 4. The said report dated 22.04.2021 was forwarded by the respondent No. 4 i.e. Range Forest Officer, Territorial, Hingoli to the respondent No. 3 i.e. the Divisional Forest Officer, Forest Division, Hingoli, thereby proposing transfer of the applicant elsewhere. Record further shows that the respondent No. 3 in turn by the communication dated 20.05.2021 (Exhibit R-II, page No. 91 of paper book) to the respondent No. 2 i.e. the Conservator of Forest, Territorial, Aurangabad who is admittedly the Competent Transferring Authority of the applicant. Record further shows that the respondent No.2 i.e. the conservator of Forest Territorial vide communication dated 24.05.2021 (Exh. 'R-III') forwarded the said report of the respondent No.4 to the

respondent No.1, as well as, recommendation of Civil Services Board purportedly to comply with the provisions of Section 4(4) and 4(5) of Transfer Act of 2005 applicable to midterm and mid-tenure transfer order.

16. In the facts and circumstances as above, the parameters laid down in another G.R. dated 11.02.2015 (Annex. 'A-2' to the affidavit-in-rejoinder at page No.139 of the paper book) would also be required to be taken in the consideration. Paragraph No.8 of the said G.R. would be relevant and as such it is reproduced as under:-

“८. एखादया प्रकरणात ३ वर्षांपेक्षा कमी कालावधी असलेल्या अधिकारी/कर्मचा-याच्या विरोधात गैरवर्तणुकीच्या तक्रारी प्राप्त झाल्यास केवळ तक्रारीच्या आधारे संबंधीत अधिकारी/कर्मचा-याची बदली करण्यात येऊ नये. अशा प्रकरणात संबंधीत अधिकारी/ कर्मचा-यांच्या तक्रारीसंबंधातील वस्तुस्थिती जाणून घेउन (आवश्यक तेथे अहवाल मागवून) तक्रारीमधील गांभीर्य विचारात घेउन, संबंधीत अधिकारी/कर्मचारी त्याच पदावर ठेवणे आवश्यक आहे किंवा कसे याबाबत बदली प्राधिका-याने ठोस निर्णय घ्यावा. संबंधीत अधिकारी/ कर्मचा-याच्या विरोधातील तक्रारीमध्ये तथ्य आढळून आल्यास संबंधीत अधिकारी/ कर्मचा-याला त्याच पदावर ठेवून त्याच्याविरुद्ध शिस्तभंगाची कारवाई सुरु करण्याबाबत बदली प्राधिका-याने निर्णय घ्यावा. मात्र संबंधीत अधिकारी/कर्मचा-याला त्याच पदावर ठेवणे योग्य नाही असे बदली प्राधिका-याचे मत झाल्यास त्याबाबतची कारणामिमांसा नमूद करून बदली प्राधिकारी संबंधीत अधिकारी/कर्मचा-याची बदली त्याच्या लगतच्या वरिष्ठ प्राधिका-याकडे प्रस्तावित करू शकतो. लगतच्या वरिष्ठ प्राधिका-याकडे असा प्रस्ताव प्राप्त

*झाल्यास बदली प्राधिका-याने नमूद केलेली कारणे योग्य आहेत किंवा कसे याची छाननी करून स्वतःचे मत स्पष्ट करून बदली प्राधिका-याच्या प्रस्तावाला मान्यता द्यावी किंवा बदली प्राधिका-याचा प्रस्ताव फेटाळून लावण्यात यावा. ज्या प्रकरणात बदली प्राधिका-याच्या प्रस्तावानुसार गैरवर्तणुकीच्या अनुषंगाने शासकीय अधिकारी / कर्मचारी यांची बदली करण्यात येते अशा प्रकरणात अधिकारी / कर्मचारी यांची बदली केल्यानंतर त्याच्या विरुद्ध शिस्तभंगाची कारवाई सुरु करण्याची दक्षता घ्यावी.”*

17. The contents of the aforesaid paragraph would show that in view of the verified complaints disciplinary action can be proposed and if there are circumstances, which would show that the transfer is necessary, the Competent Transferring Authority can proposed the same to the immediate superior officer for approval.

18. The above-said provisions of various G.Rs. would show that subject to satisfaction of the Competent Authority, while passing transfer order, veracity of such complaints is of utmost importance. In the case in hand, the respondent No.2 has not explained as to under what circumstances he has accepted the report of respondent No.4 as “true”. In view of the same, I find force in the submissions made on behalf of the applicant that the respondent No.2 i.e. the Competent Transferring Authority has acted as a postman and has just forwarded the report to the respondent No.1 for approval

without making any efforts to verify the nature of the complaint.

19. That apart, the legal submissions are made on behalf of the applicant that delegation of powers supposedly by respondent No.2 to respondent No.1 as per second proviso to Section 6, vide G.R. dated 11.01.2018 is not legally sustainable. Learned Advocate for the applicant has relied upon the decision of the Principal seat of this Tribunal at Mumbai in the case of **Shri Dattatray Bhagwan Mundhe Vs. Government of Maharashtra & Ors.** decided on 27.08.2021. I have reproduced the contents of paragraph No.12 of the said judgment and order in paragraph No.8 of this order. In view of the same delegation of power is to be done by the Competent Transferring Authority and the immediate superior authority as per Section 4(5) of Transfer Act of 2005, is to be governed by Section 6 and as such the immediate superior authority of respondent No.2 as per Section 6 would be the concerned Minister in-charge in consultation with the Secretary of the concerned department and not the respondent No.1 herein i.e. the Principal Chief Conservator of Forest as sought to be made out by the respondents.

20. No doubt, the respondent No.2 has taken steps to comply with the provisions of Section 4(4) (ii) and 4(5) of Transfer Act of 2005 for getting approval of the immediate superior authority. However, reliance of the respondents on G.R. dated 11.01.2018 would be totally misplaced as it is not in consonance with the real purport ambit of the provision of Section 6 which is provided in second proviso. In view of the same, in my considered opinion, from any angle, if the impugned order is examined, it is seen that it is not sustainable in the eyes of law as there is no approval from the competent immediate superior authority of the respondent No.2. Even there is no subjective satisfaction of the respondent No.2 about veracity of the complaints against the applicant. In such circumstances, impugned order/communication dated 01.06.2021 transferring the applicant is not sustainable in the eyes of law and it is liable to set aside. Hence, I proceed to pass the following order:-

**ORDER**

The present Original Application is allowed in the following terms:-

- (i) The impugned order/communication dated 01.06.2021 (Annex. 'A-5') is hereby quashed and set aside.
- (ii) The respondents are hereby directed to repost the applicant on her present post of Forester, Waranga in Hingoli forest division within a period of one month.
- (iii) There shall be no order as to costs.

**MEMBER (J)**

**PLACE : AURANGABAD.**

**DATE : 09.12.2021**

O.A.NO.256-2021(SB-Transfer)-HDD-2021