

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10448 OF 2015

Shri Gaurav Gulabrao Surve & Anr. Petitioners
V/s
The State of Maharashtra
through the Secretary & Anr. Respondents

WITH
WRIT PETITION NO.10449 OF 2015

Shri Viraj Rajaram Sawant & Anr. Petitioners
V/s
The State of Maharashtra
through the Secretary & Anr. Respondents

WITH
WRIT PETITION NO.10450 OF 2015

Smt. Smita Pandurang Dabholkar & Anr. Petitioners
V/s
The State of Maharashtra
through the Secretary & Anr. Respondents

WITH
WRIT PETITION NO.10451 OF 2015

Shri Bhaskar Sambhaji Mahadik & Anr. Petitioners
V/s
The State of Maharashtra
through the Secretary & Anr. Respondents

WITH
WRIT PETITION NO.10452 OF 2015

Smt. Shilpa Madhukar Pandit & Anr. Petitioners
V/s
The State of Maharashtra
through the Secretary & Anr. Respondents

WITH
WRIT PETITION NO.10446 OF 2015

Smt. Rupali Dipak Lakhan & Anr. Petitioners

V/s

**The State of Maharashtra
through the Secretary & Anr. Respondents**

**WITH
WRIT PETITION NO.10447 OF 2015**

Shri Atul Pandurang Pitale & Anr. Petitioners

V/s

**The State of Maharashtra
through the Secretary & Anr. Respondents**

Mr. N.V. Bandiwadekar i/b Mr. Sagar A. Mane for Petitioners in all WPs.
Mr. V.N. Sagare, AGP for Respondents/State in all WPs.

**CORAM : ANOOP V. MOHTA &
A.A. SAYED, JJ.**

DATED : 27 OCTOBER 2015

ORDER:

1 Rule in all matters. Rule made returnable forthwith. Heard finally by consent of the parties.

2 In all these Petitions, the Petitioners have challenged impugned orders issued by Respondent No.2 Education Officer (Secondary), refusing to grant approval to the transfer of the Petitioners as Assistant Teacher from unaided School to aided School. It is informed that the Petitioners have been appointed initially by following regular selection process. The learned counsel appearing for the parties conceded the position that the issue is covered by various judgments/orders of this Court including **Ms. Sandhya Laxman Ghosalkar Vs. The State of**

Maharashtra (Writ Petition No. 5258 of 2012) and other matters, dated 12 September 2012, and Dattu S/o Bhima Thorat Vs. The State of Maharashtra & Ors. (Writ Petition No. 2960 of 2012) dated 11 October 2012. This Court (Coram: Anoop V. Mohta and A.R. Joshi, JJ.), by order dated 18 April 2015 in **Mrs. Rajabai Baba Shinde Vs. The State of Maharashtra & Ors. (Writ Petition No. 3979 of 2015)** has passed the order in similarly situated matter of the Petitioner No.2 Management. It is also submitted by the learned Counsel appearing for the Petitioners that in all other matters, where similar orders are passed, the Government has implemented the same. There is no further challenge to it. The learned AGP conceded to this position that there is no further challenge.

3 Therefore, taking over all view of the matters, we are inclined to allow all these Petitions in terms of respective prayer clause (b). It is made clear that the order be passed in accordance with law.

4 The parties to act on the basis of authenticated copy of this order.

5 Rule made absolute in all matters, accordingly.

6 There shall be no order as to costs.

(A.A. SAYED, J.)

(ANOOP V. MOHTA, J.)