

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10663 OF 2015

Shri Suresh Shripati Birajdar & Anr. Petitioners

V/s

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

WITH

WRIT PETITION NO.10664 OF 2015

Shri Suryakant Cholappa Kamble & Anr. Petitioners

V/s

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

WITH

WRIT PETITION NO.10665 OF 2015

Shri Ashok Arjun Torane & Anr. Petitioners

V/s

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

WITH

WRIT PETITION NO.10666 OF 2015

Shri Sambhaji Pandu Wagh & Anr. Petitioners

V/s

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

WITH

WRIT PETITION NO.10667 OF 2015

Shri Laxman Tukaram Somutte & Anr. Petitioners

V/s

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

Mr. N.V. Bandiwadekar i/b Mr. Saurabh Kurade for Petitioners in all WPs.

Mr. C.P. Yadav, 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), Zilla Parishad refusing to grant approval to the transfer of the Petitioners as non-teaching staff 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

matters 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.)

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