

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7012 OF 2015

...

|                                 |     |                |
|---------------------------------|-----|----------------|
| Shri Swapnil Sudhir Patil       | ... | ...Petitioner  |
| v/s.                            |     |                |
| The State of Maharashtra & ors. |     | ...Respondents |

WITH

WRIT PETITION NO.8114 OF 2015

...

|                                 |     |                |
|---------------------------------|-----|----------------|
| Shri Natha Baji Javir           | ... | ...Petitioner  |
| v/s.                            |     |                |
| The State of Maharashtra & ors. |     | ...Respondents |

...

Mr. N.V. Bandiwadekar i/b Mr. Mandar G. Bagkar for the Petitioners in all the Petitions.

Mr. V.N. Sagare, AGP for the Respondent-State.

...

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

**DATED : 28 SEPTEMBER 2015**

**ORDER:**

The above two matters are inadvertently not listed on today's Board. By consent of parties the same are taken on Board.

2. Rule. Rule made returnable forthwith. Heard finally by consent of the parties.

3. In all these Petitions, the Petitioners have challenged impugned order dated 4 October 2014 issued by Respondent No.2, refusing to grant approval to the transfer of the Petitioners as Assistant Teacher from unaided school of Respondent No.3 to aided School of Respondent No.4. 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), 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 Respondent No.3 Management. It is also submitted by the learned counsel appearing for the Petitioner 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.

4. Therefore, taking overall 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.

The parties to act on the basis of the same.

4. Rule made absolute in all matters, accordingly.
5. There shall be no order as to costs.

**(A.A. SAYED, J.)**

**(ANOOP V. MOHTA J.)**

CERTIFICATE

Certified to be true and correct copy of the original signed  
Judgment/Order.