

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION W No. 981 OF 2016

IN

Writ Petition No.3862 of 2015

Maharashtra Rajya Prathmik Shikshak Samittee through its President.

Vs.

The State of Mah. Through its Secretary and others.

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

Court's or Judge's orders.

Mr. Chakotkar, counsel for petitioner.

Mrs. Hiwase, AGP for respondent nos 1 to 3.

Mr. J.Y. Ghurde, counsel for respondent no. 4.

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.**

DATE : 4th MAY, 2016.

Heard for some time.

This application is taken out by petitioner for direction to Zilla Parishad to at least look into request for mutual transfer. After hearing advocate Ghurde for respondent no. 4 Zilla Parishad, we find that absorption of teachers or promotion of teachers has got no bearing on request for mutual transfers. Similarly, the declaration of teacher as surplus is also not relevant.

In Zilla Parishad employment a teacher would be rendered surplus if he is junior most in district and not because he is posted in particular school.

In this situation, we do not find any legal impediment in considering the request of members of

petitioner association for mutual transfer in accordance with law.

Therefore, we direct respondent no. 4 to process such request as per law and as per its policy and to look into the same before effecting current regular transfers.

Civil application is accordingly partly allowed and disposed of. No costs.

JUDGE

JUDGE

HirekhanP