

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

WRIT PETITION NO.3237 OF 2016

[Prabhakar s/o Keshao Lothe and others .vs. The State of Maharashtra and others]

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

Court's or Judge's orders

Shri P.S. Kshirsagar, counsel for the petitioners,
Shri A.M. Balpande, AGP for respondent no.1.

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CORAM : SMT. VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : JUNE 10, 2016.

By this writ petition, the petitioners seek a direction to the respondents to reschedule the transfer process and the counseling proceedings in accordance with the Government Resolution.

The petitioners challenge the list prepared by the respondents for transferring the teachers on the basis of the proceedings as per the counseling held on 3.6.2016, as the said was effected in non-compliance of the procedure laid down in the Government Resolution, dated 15.5.2014.

Shri Balpande, the learned Assistant Government Pleader appearing on behalf of the respondent no.1, states that the State Government has informed the Chief Executive Officer of Zilla Parishad, Gondia that in view of the objection raised by the primary teachers to the illegalities in the matter of transfers, the process initiated for transferring the primary teachers is stayed, till an inquiry is conducted. It is stated that since it appears that the transfers would not be effected on the basis of the counseling that was held on 3.6.2016 until an inquiry is conducted, the cause for filing the writ petition would not survive at this stage.

In view of the statement made by the learned Assistant Government Pleader, that is based on a copy of the communication addressed by the Desk Officer to the Chief Executive Officer, Zilla

Parishad, Gondia, dated 9.6.2016, we dispose of the writ petition, with no order as to costs. The petitioners are, however, at liberty to file appropriate proceedings if a cause of action arises in future. Order accordingly.

JUDGE

JUDGE

Gulande