

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

WRIT PETITION NO.4012 OF 2015

(Preetam Kisan Thaware and others vs. The State of Maharashtra and others)

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

Shri P.P. Thakare, Advocate for petitioners.
Shri A.A. Madiwale, Assistant Government Pleader for
respondent no.1.
Shri S. Saoji, Advocate for respondent no.2.

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATED : AUGUST 24, 2016

By this writ petition, the petitioners have challenged the order of the Education Officer (Primary), Zilla Parishad, Chandrapur, dated 8/6/2015 staying the order of the Chief Executive Officer, Zilla Parishad, Chandrapur, dated 30/5/2015 permitting mutual transfers of several employees of Zilla Parishad including the petitioners.

Shri Saoji, learned Counsel for the respondent Zilla Parishad, states that by the impugned communication dated 8/6/2015, all the mutual transfers are not stayed and the Education Officer (Primary) has prohibited the mutual transfers of the surplus Teachers only. It is submitted that if the petitioners and the employees with whom they are seeking mutual transfers are not surplus in their respective Schools, in which they are working, there would be no prohibition to their mutual transfers.

We accept the statement made on behalf of respondent Zilla Parishad. That would be binding on the respondent Zilla Parishad.

The respondent no.2 Zilla Parishad should verify within a period of one month whether the petitioners and the employees with whom they are seeking mutual transfers are surplus or not and if they are not surplus in the respective Schools where they are working, their mutual transfers should be effected within two months.

In view of the aforesaid, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

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CERTIFICATE

I certify that this order uploaded is a true
and correct copy of original signed order.

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Kamal H. Jeswani
Private Secretary

Uploaded on :

25/08/2016