

**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
BENCH AT AURANGABAD.**

WRIT PETITION NO.5560 OF 2016

Dhanaji S/o Govardhan Patil ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

**WITH
WRIT PETITION NO.5469 OF 2016**

Mahesh S/o Shriram Deshmukh ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

**WITH
WRIT PETITION NO.5470 OF 2016**

Jyotirling S/o Narayan
Kalekar ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.A.N.Nagargoje, advocate for the petitioner.
Mr.S.B.Yawalkar, A.G.P. for the State.
Mr.S.N.Rodge, advocate for Respondent Nos.2 and
3.

...

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

Date : 29.3.2017.

PER COURT :

1. Heard.

2. Mr.Nagargoje, learned counsel submits that the petitioners are working as Assistant Teachers with Zilla Parishad School. These petitioners were transferred as per the order of Transfer issued by the Education Officer to Washi and the petitioners joined at the transferred place and within eight (8) days, the said transfer order was cancelled. Learned counsel submits that it is pursuant to the transfer orders, the petitioners had joined at the transferred place. There were total 104 candidates who were transferred. 79 have been absorbed at their original places or nearby places. The petitioners are not yet absorbed.

The petitioners were transferred on the ground that the posts were surplus. This Court had initially passed the order to consider the cases of the petitioners for absorption, however, by the time the order could be communicated to the C.E.O., Zilla Parishad, the process of counselling was over.

3. Mr.Rodge, learned counsel for the Respondent Zilla Parishad submits that counselling would take place in May. At that time, the case of the petitioners would be considered on their own merits.

4. The petitioners may give representations to the Respondent with regard to their claim of absorption. The C.E.O., Zilla Parishad, shall consider the said representations and at the time of counselling shall take decision upon it in accordance with law and consider availability of the vacancies at the place where they are sought to be absorbed or were earlier working or nearby places.

5. With these observations, the Writ Petitions are disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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