

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

WRIT PETITION NO. 7607 OF 2017

Bhagyashree Shivaji Rathod
and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Paresh B. Patil, Advocate for the Petitioner.

Shri V. S. Badakh, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : ANOOP V. MOHTA AND
SUNIL K. KOTWAL, JJ.**

DATE : 04TH JULY, 2017.

FINAL ORDER :

. Learned Assistant Government Pleader on behalf of respondent Nos. 1 to 3 makes a statement that, petitioners have applied as required pursuant to resolution dated 27.02.2017 and as amended from time to time. Their names are appearing in the concerned list, based upon which appropriate transfer orders will be passed by the authority. Petitioners' case of correction/mistake, if any, in view of communication dated 22nd May, 2017 will be clarified and/or corrected and so also the aspect of no objection certificate dated 30.04.2013 as agitated in the petition by petitioners (couple convenience). Therefore, also required to be taken note by the concerned at appropriate stage,

once the representation made, after receipt of the transfer order, to either of the spouse.

3. Referring to clause 17 of the Government Resolution and in view of our judgment dated 22.06.2017 in Writ Petition No. 6640 of 2017 (**Maharashtra Rajya Shikshak Sena, Through its Taluka President, and others Vs. The State of Maharashtra and others**) with other connected writ petitions, we are inclined to dispose of present writ petition by permitting petitioners to raise the issue after receipt of the transfer orders, if any. The concerned Divisional Commissioner to pass orders keeping in mind the representations and related circulars so referred and pass order accordingly in the interest of justice.

4. Writ petition is disposed of accordingly, with above liberty. No costs.

[SUNIL K. KOTWAL, J.]

[ANOOP V. MOHTA, J.]