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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 5692 OF 2017

Sawamt Tatoba Tukaram & Ors. … Petitioners
Vs.
The State of Maharashtra & Ors. … Respondents

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Mr. Kalpesh Patil, for the Petitioners.

Mr. N. P. Deshpande, Addl. Govt. Pleader a/w C. P. Yadav, AGP for Respondent No. 1.

Mr. Uday Warunjikar a/w Akshay Deshmukh & Siddhesh Pilankar, for Respondent No. 2 & 3.

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CORAM : B. R. GAVAI, &
RIYAZ I. CHAGLA, JJ.

DATE : JULY 11, 2017

PC.

1. This petition has been basically filed challenging the Government Resolution dated 27th February, 2017 and the list prepared by the Chief Executive Officer of the Nashik Zilla Parishad (for short the “CEO”) classifying difficult and non difficult areas for the purpose of transfer of primary teachers.

2. Heard Mr. Kalpesh Patil, learned counsel appearing on

behalf of the Petitioners, Mr. Uday Warunjikar, learned counsel appearing on behalf of the Respondent - Zilla Parishad and Mr. N. P. Deshpande, learned Additional Government Pleader appearing for the Respondent – State.

3. In the present petitions, challenge is to the Government Resolution dated 27th February, 2017, as also to the list prepared by this CEO. This challenge has been negated by us by an order of even date for the reasons recorded while dismissing the bunch of petitions in lead petition being Writ Petition No. 5409 of 2017. For the same reasons, present petition is also dismissed and accordingly disposed of.

4. It is made clear that since the Petitioners have approached in wholesale petitions challenging the entire Government Resolution and the entire list, the same would not come in the way of the individual petitioners if they have individual grievance.

5. At this stage, the learned counsel appearing on behalf of the Petitioners seeks extension of interim protection granted by the Vacation Bench of this Court by an order dated 16th May, 2017. The

learned counsel appearing on behalf of Zilla Parishad and the learned Additional Government Pleader have vehemently opposed this request. We find that on account of status-quo granted by this Court, the entire process of transfer was stalled, which has indirectly an adverse effect on the functioning of the entire Zilla Parishad schools in the entire districts. The prayer for extension of interim protection is therefore, rejected.

Sd/-
[RIYAZ I. CHAGLA, J.]

Sd/-
[B. R. GAVAI, J.]

Vinayak Halemath