

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

68 WRIT PETITION NO. 6229 OF 2018

SANJAY DEVIDAS PAWAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Irale Eknath G.
AGP for Respondent No. 1 : Mrs. A.V. Gondhakelar
Advocate for Respondent No. 2 and 3 : Mr. M.S. Sonawane

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CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.

DATE : JULY 3, 2018

O R D E R :

1. We have heard the learned counsel for the petitioners and the respondents. The grievance is limited.

2. In view of the transfer order dated 17.5.2018, petitioner nos. 1 and 2 i.e. the husband and wife were transferred to Primary School Sheri Dharangaon. However, by the order dated 29.5.2018 the petitioner no. 1 is transferred to Pathrad (Bk.). According to the petitioners, at Sheri (Dharangaon) petitioner no. 2 has to travel 5 kms. alone. Instead of that the petitioner no. 2 be transferred to Pathard (Bk.) and petitioner No. 1 be

retained at Sheri (Dharangaon).

3. Mr. Sonwane, learned counsel submits that petitioner nos. 1 and 2 both are having same qualification and both are in the same pay scale.

4. Considering the above, there would be no impediment to place the petitioners in each others position.

5. In the light of above, we pass following order:-

(i) Petitioner No. 1 husband shall be at Sheri (Dharangaon) i.e. on the post on which petitioner no. 2 was earlier transferred and the petitioner no. 2 be posted at Zilla Parishad Primary School, Pathard (Bk.) Taluka Dharangaon.

6. We have passed the order considering petitioner nos. 1 and 2 to be the husband and wife and both are going to be transferred on each others position and no

inconvenience would be caused even administratively.

7. Writ petition is disposed of. No costs.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

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