

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

WRIT PETITION NO. 8475 OF 2017

Rameshwar s/o Achyutrao More

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr V.P. Savant, Advocate for petitioner

Mr S.G. Karlekar, AGP for respondent no.1

Mr A.D. Aghav, Advocate for respondent no.3

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVAL, JJ**

DATE : 25th January 2018

PER COURT

1. Mr Savant, learned Counsel for the petitioner submits that the petitioner was appointed as Shikshan Sevak in the year 2011 and was confirmed on 31.12.2014 by respondent no.2 - Zilla Parishad, Nandurbar. The father of the petitioner is suffering from A.R.T. disease and treatment given is of confidential nature. The Civil Surgeon has given registration Nos.1976 and 1977 to the parents of the petitioner. The petitioner has required to stay along with his parents on and off. The petitioner as such is required to apply for leave on many occasions. The disease of the parents is increasing day by day and the petitioner is the only son to look after the parents. The petitioner has applied for inter-district transfer in the caption of 'husband-wife consolidation scheme' from Nandurbar to Jalna. It was returned back with the remark that petitioner has not completed five years of service. Thereafter, the wife of the petitioner has resigned. Learned Counsel submits that considering the circumstances, the Zilla Parishad, Nandurbar has given no objection for transfer of the petitioner. It is now for respondent no.3 to give posting to the petitioner and accept the transfer.

2. Mr Aghav, learned Counsel for respondent no.3 submits that he has taken oral instructions from the Education Officer and as per oral instructions, there is no vacancy available from open category with respondent no.3.

3. It is said that online transfer process would commence from 1.2.2018. The petitioner may apply therein. The respondents shall consider the case of the petitioner for transfer on the ground put forth by the petitioner as per the preferences available in the transfer policy and take decision upon it.

4. In case application is filed by the petitioner seeking transfer on preferential basis, the same shall also be considered by the respondents at the time of general transfers.

5. Writ Petition is accordingly disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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