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

**CONTEMPT PETITION NO.663 OF 2018
IN
WRIT PETITION NO.6604 OF 2018**

1. Sandip S/o Khandu Takale,
Age : 38 yrs, Occ. Service
Assistant Teacher, Zilla Parishad,
Primary School, Maind Wadi,
Tq. Dharur, Dist. Beed
R/o Dhanora, Tq. Ashti,
Dist. Beed

2. Bhagyashree Eknath Gade,
Age : 35 years, Occ. Service,
Assistant Teacher, Zilla Parishad,
Primary School, Khengre wasti,
Tq. Ashti, Dist. Beed
R/o Dhanora, Tq. Ashti,
Dist. Beed

..PETITIONERS

VERSUS

Amol S/o Jagganath Yedage
Age : Major, Occu. Service
At Present Chief Executive Officer
Zilla Parishad Beed
R/o Zilla Parishad Office Beed
Tq. And District Beed

..RESPONDENT

Mr Mahesh S. Bhosale, Advocate for petitioner;
Mr K.B. Jadhavar, Advocate for respondent

**CORAM : PRASANNA B. VARALE
AND
MANISH PITALE, JJ.**

DATE : 26th September, 2018

ORAL ORDER:

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Petitioners are before this Court by raising a grievance that the order of this Court dated 9th August, 2018 is not complied with.

2. In Writ Petition No.6604 of 2018 it was submitted before this Court that petitioner no.2 i.e. Smt. Bhagyashree Gadhe was carrying pregnancy and her transfer was at such a place which was not convenient for her, for want of medical facilities. Considering this particular grievance of petitioner no.2, the Division Bench of this Court, by order dated 9th August, 2018 permitted the petitioner to make an application with the Chief Executive Officer to post her at a convenient place and the authority, namely, Chief Executive Officer was directed to decide the representation within stipulated period of ten days from the date of receipt of the application from the petitioner. The Division Bench further made it clear that considering the peculiar circumstances only the order is passed with direction to the Chief Executive Officer.

3. On 24th September, 2018, at the request of the learned Counsel appearing on behalf of the petitioner, we granted some time so as to make a statement before this Court on the next date and the matter was posted to 26th September, 2018.

4. Today, learned Counsel appearing on behalf of respondent Chief Executive Officer, Zilla Parishad, Beed placed on record a copy of order

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dated 25th September, 2018. It is stated in the order that in view of the order passed by this Court and in view of the representation submitted by petitioner no.2 and considering her request, she is transferred to primary school at Sangale Gotha, Kada, Tq. Ashti. It is also stated in the order that though petitioner no.2 in her representation made a request to transfer her in Zilla Parishad primary school at Sable Wasti, Dhanora, Tq. Ashti, one Shri Patil is already accommodated at the said place under the orders of the Commissioner and, therefore, the Chief Executive Officer was unable to consider her request for her transfer at that place. It is also stated that the place where petitioner no.2 is transferred is at a distance of 12 Kms. from Ashti and is convenient for her to seek medical assistance, in case it is required.

5. Though the learned Counsel for the petitioners made an attempt to submit before us that as per his instructions there is a vacant post at Sable Wasti school and respondent be directed to transfer petitioner no.2 in the primary school at Sable Wasti, we are unable to accept the submission in view of the position, namely, the said post is already occupied in view of transfer of Mr Amrish Patil. The order dated 25th September, 2018 takes care of the grievance raised by petitioner no.2 as she is transferred to Sangale Gotha, which is at a nearest distance from Taluka Centre, namely, Ashti. As the order dated 25th September, 2018 reflects sufficient compliance of the order of this Court, in our opinion, no further order is

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required to be passed in the petition, as the grievance of petitioner no.2 is redressed.

6. Learned Counsel for the petitioners further prays for liberty on behalf of petitioner no.1 to make representation before the authorities for his transfer in view of the Government policy. Petitioner no.1 Sandip Takale is at liberty to submit a representation before the appropriate authority, in view of the Government Resolutions.

With above observations, Contempt Petition stands disposed of.

(MANISH PITALE, J.)

(PRASANNA B. VARALE, J.)

amj

Anant
Manohar
Joshi

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signed by
Anant
Manohar Joshi
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