

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 2934 OF 2018**

Mumbai Mahanagapalika Shishak Sena & Ors

..Petitioners

Vs.

Municipal Commissioner & Ors

..Respondents

**Mr. V. S. Tadke i/b Mr. Mohan Bapu Gawade for the Petitioners
Ms Pooja Yadav for the Respondent Nos.1 to 7**

CORAM :R. M. SAVANT, &

M. S. KARNIK, JJ

DATE : 24th SEPTEMBER, 2018

P.C.

1 The above Writ Petition has been filed questioning the policy which has been evolved by the Respondent No.1 for transfer of teachers working in Municipal Schools as comprised in circular No.IEO/OD/298 dated 26-12-2017. The said policy has been challenged on the ground that the practical difficulties of the teachers who are residing outside the limits of the Municipal Corporation of Greater Mumbai, have not been taken into consideration whilst formulating the said policy. In the process of making the said submission the Learned Counsel for the Petitioner sought to give specific examples.

2 In our view, it is not possible for us in our Writ Jurisdiction to consider the difficulties which are case specific. It is also not possible for the Respondent No.1 as Municipal Corporation of Greater Mumbai running a

number of schools to provide for every eventuality. The Respondent No.1 as can be seen from the circular has framed a general policy for transfers of its teachers. However, we find that the Petitioner No.1 which is an association of the teachers has made a representation dated 16-5-2018 Exhibit D to the Petition as also a further representation dated 19-7-2018 Exhibit E to the Petition, which according to the Learned Counsel for the Petitioners have not been taken into consideration. Hence we direct the Respondent No.1 to take a decision in respect of the said representations of the Petitioners within 6 weeks from date.

3 With the directions as aforesaid, the Writ Petition is disposed of.

[M. S. KARNIK, J]

[R.M.SAVANT, J]

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