

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

WRIT PETITION NO. 1742 OF 2019

Ranjana Babruwan Makne
Age: 36 years, Occ: Service,
r/o Aurad Shahajani, Tal: Nilanga,
Dist: Latur

... Petitioner

Versus

1. The State of Maharashtra
Through its Secretary,
School Education and Sports
Department, Mantralaya, Mumbai.
2. The Education Officer (Secondary),
Zilla Parishad, Latur.
3. Shardopasak Shikshan Sanstha,
r/o. Aurad Shahajani,
Tal: Nilanga, Dist: Latur.
Through its Secretary.
4. Maharashtra Vidyalaya,
r/o. Aurad Shahajani,
Tal: Nilanga, Dist: Latur,
Through its Headmaster

... Respondents

....

Mr. V. D. Gunale, Advocate for petitioner.
Ms. A.V. Gondhalekar, A.G.P. for respondent Nos. 1 and 2.

....

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ**

DATED : 01st APRIL, 2019

PER COURT:-

1. Heard Mr. Gunale, learned Counsel appearing for the petitioner.

2. Considering the issue involved in this petition being a limited one, namely non decision on a proposal submitted to the respondent No.2 – Education Officer (Secondary), Zilla Parishad, Latur, the petition is taken up for disposal at the admission stage with consent of the contesting respondent Nos. 1 and 2.

3. The petitioner is transferred from an unaided division to aided division. The petitioner was granted approval and also continuity in service. One of the teacher of aided division namely Shri. M. H. Gosavi stood retired on 30/06/2017 on superannuation and respondent No.3 society transferred the petitioner from unaided division to the aided division. The proposal is accordingly submitted to the Education Officer on 18/08/2017. A copy of the same is placed on record at Exhibit-"F".

4. Mr. Gunale, learned Counsel invited our attention to the order dated 12/09/2012 passed by the Division Bench of this Court at Principal Seat in Writ Petition No.5258 of 2012 (Ms. Sandhya Laxman Ghosalkar Vs. The State of Maharashtra and others) and other writ petitions as well as the order this Court dated 15/04/2015 passed in Writ Petition No. 1648 of 2015 (Ganesh Vs. The State of Maharashtra and others) and another order dated 18/02/2014 passed by this Court in Writ Petition No. 9173 of 2013 (Ms. Rupali Maruti Shingte and another Vs. The State of Maharashtra and another) and other writ petitions.

5. In support of these submissions and considering the facts, issue notice to the respondents made returnable forthwith. Learned AGP waives notice for respondent Nos. 1 and 2.
6. The writ petition is disposed of with directions to the Education Officer (Secondary), Zilla Parishad, Latur to decide the proposal submitted to him on 18/08/2017 as early as possible and not later than six weeks from the date of receipt of this order.
7. Learned AGP to communicate this order to the Education Officer (Secondary), Zilla Parishad, Latur forthwith.
8. Parties to act upon an authenticated copy of this order.

(NITIN W. SAMBRE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

SMS