

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

**WRIT PETITION NO.1039 OF 2019
VIJAYALAXMI KISHANRAO TUNGWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
WRIT PETITION NO.829 OF 2019
GANESH AALU CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.Dhanaji S. Kudle, Advocate for the petitioners.
Mr.S.S. Dande and Ms. R.P. Gaur, AGPs for respondent/
State.

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 23.01.2019

P.C. :-

1. Both these petitions are filed by the teachers who are working as Assistant Teachers in Ashram Schools at various places. The petitioners are challenging the order passed by respondent No.2 – Regional Commissioner, Social Welfare Department, dated 31.12.2018, thereby as many as 46 teachers are transferred/absorbed at the respective places. Petitioner – Vijayalaxmi Tungewar is at Sr.No.7; whereas petitioner – Ganesh Chavan is at Sr.No.11. Both these petitioners were working in a

school in Beed district and they are absorbed in the schools in Kannad and Sillod Talukas of Aurangabad District respectively. Petitioner - Vijayalaxmi Tungewar submitted representation to respondent No.2 on 14.01.2019. It is the grievance raised in the writ petition that the petitioner was working at Ambajogai Taluka of Beed District since 1996 till the transfer is effected. It is then submitted that the petitioner ought to have absorbed in Beed District, but the petitioner is now transferred to Aurangabad District. Then it is submitted that the ward of petitioner - Vijayalaxmi, namely, her son is studying in 12th standard and then it is requested to retain the petitioner in the same school. Then the learned Counsel invited our attention to the order of this Court dated 18.01.2019 in Writ Petition No.562 of 2019. Learned Counsel for the petitioner by placing reliance on the order of this Court dated 18.01.2019 made an attempt for retention of the petitioner by way of interim order.

2. We are not inclined to grant interim order, but we are of the opinion that the petition itself can be disposed of by directing respondent No.2, Regional Dy. Commissioner, Social Welfare Department to decide the representation, which is already received by him on 14.01.2019, expeditiously and preferably within eight weeks from the date of the order of this Court, needless to state, on the merits of the representation and considering the record available with the authorities.

3. Insofar as Writ Petition No.829 of 2019 is concerned, the facts are identical except the fact as submitted by the learned Counsel for the petitioner that petitioner – Ganesh Chavan has also submitted representation to respondent No.2 and the same is pending for decision. In case, such representation is received by the office of respondent No.2 – Regional Dy. Commissioner, Social Welfare Department, respondent No.2 to decide the same as expeditiously as possible and not later than eight weeks from the date of the order.

4. With these directions, both the writ petitions are disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]