

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

4 WRIT PETITION NO.6925 OF 2019

**RADHESHYAM SHIVANAND GIRI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**...
Advocate for Petitioners : Deshmukh Avinash S.
AGP for Respondents: S.G.Karlekar**

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CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 26/06/2019

PER COURT :

The petitioner is transferred to primary school Vita/Limba in Pathri Tq. From Wanbhujawadi Tq. Palam.

2] The learned advocate for petitioner submits that the petitioner was transferred as, though respondent no.6 was transferred from Parbhani district to Latur district, he had not joined. Now respondent no.6 has joined at Latur. The petitioner has already made representation to the Commissioner as provided under the Government Resolution. No decision is taken. The Commissioner is also required to take decision on the subsequent development of respondent no.6 joining at Latur. In view of that there is no need to displace the petitioner.

3] Mr.Karlekar, learned Addl.Govt.Pleader accepts notice for respondents 1 and 2 and submits that the representation of the petitioner is still pending with respondent no.2 and the report is

called from respondent no.3. The report is not yet received.

4] The petitioner may demonstrate the subsequent development before respondent no.2, of respondent no.6 joining at Latur. The respondent no.3 if has not submitted the report, shall submit report within 10 days after present order is brought to his notice. The petitioner shall communicate this order to respondent no.3. The Commissioner shall thereafter take decision within 15 days.

5] With these observations, Writ Petition is disposed of. All contentions are kept open. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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