

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

WRIT PETITION NO. 7129 OF 2019

Vijaymala Dnyanoba Choudhari .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri D. S. Mali, Advocate for the Petitioner.

Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 to 3.

Shri B. B. Bhise, Advocate for Respondent Nos. 4 and 5.

**CORAM : S. V. GANGAPURWALA AND
AVINASH G. GHAROTE, JJ.**

DATE : 12TH DECEMBER 2019.

FINAL ORDER :

. The proposal seeking approval to the transfer of the petitioner from unaided division to aided division is rejected.

2. We have heard the learned advocate for the petitioner, the learned advocate for the respondent Nos. 4 and 5 and the learned Assistant Government Pleader for respondents/State.

3. It appears that, proposal seeking approval to the transfer of the petitioner from unaided division to aided division is rejected basically on the ground of circular dated 28.06.2016.

4. This Court in its judgment dated 04th July, 2019 in Writ Petition No. 1493 of 2018 with other connected writ petitions has held some of the clauses of the circular dated 28.06.2016 do not

apply.

5. In the light of that, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal for approval to the transfer of the petitioner from unaided division to aided division in tune with the judgment dated 04th July, 2019 in Writ Petition No. 1493 of 2018 with other connected writ petitions.

6. The writ petition accordingly is partly allowed. No costs.

[AVINASH G. GHAROTE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Dec. 19