

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5452 OF 2018

RUKHMINI VASANT WAGH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Dhengle Babasaheb A.
AGP for Respondent No. 1 : Mr. S. B. Pulkundwar
Advocate for Respondents No. 2 & 3 :
Mrs. Satyavati K. Doke (Renge)

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 04th APRIL, 2019

PER COURT :

1. We have heard Mr. Dhengle, learned Advocate for the petitioner.

2. The learned Advocate for the petitioner submits that the petitioner could not fill in the application in the first round because of the fault in the computer. The portal could not be opened. In view of that, only in the second round the application could be filled in. Immediately representation was given to the Education Officer. The same is not considered.

3. We have heard the learned Assistant Government Pleader also.

4. It is not disputed that distance of place of working of the husband and the place where the petitioner is transferred is 25 Kms. The same is in consonance with Government Resolution dated 27.02.2017, wherein it prescribes that on the ground of couple convenience endeavour has to be made that the couple is within the range of 30 Kms. The petitioner is at the distance of 25 Kms. from the place of work of her husband.

5. Now, there is a lock-in period of three years. In view of that, at present the grievance of the petitioner cannot be considered. On lapse of three years, the petitioner will get the right to agitate afresh with regard to the transfer on the ground of couple convenience.

6. Writ Petition stands disposed of accordingly.
No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]
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