

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
1000 WRIT PETITION NO.6455 OF 2019**

BHAUSAHEB PANDHARINATH JAGTAP AND OTHERS
..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Rameshwar F. Totala and Mr. Ganesh S. Yadav,
Advocates for the Petitioners.

Mr. S. B. Yawalkar, AGP for Respondents-State.

Mr. S. T. Shelke, Advocate for Respondent Nos.5 and
6.

...

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

DATED : 21st JUNE, 2019.

PER COURT:-

1. The contention of Mr. Totala, learned counsel is that the online form is not accepted on the ground that petitioners have completed 2 years 11 months and 30 days and not three years. According to learned counsel petitioners have completed three years.

2. The learned counsel relied on the judgment of the learned Single Judge of this Court in case of **Niraj Singh Vs. Shishu Vihar Mandal and Ors.** reported in **2007 (2) ALLMR 664.**

3. Mr. Yawalkar, learned A.G.P. submits that if petitioners have any grievance with regard to

the transfer or non-acceptance of their case for transfer, petitioners can approach Chief Executive Officer and if the Chief Executive Officer does not consider, the petitioners may approach to the Commissioner as per the Government Resolution dated 28.05.2019.

4. The petitioners may approach the Chief Executive Officer of the Zilla Parishad and may present their case. The petitioners may show the judgment relied by him. The Chief Executive Officer shall take decision within three days of the submission of the application and may consider contention of the petitioners of completing three years on merits. If the Chief Executive Officer decides in favour of petitioners, then the case of the petitioners seeking transfer be considered. Even otherwise, we direct the Chief Executive Officer to take decision.

5. Writ Petition is disposed of. No costs.

6. Parties to act on authenticate copy.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE