

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

**135 WRIT PETITION NO.7056 OF 2019**

MAYA LALDAS JADHAV  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Kakde Yuvraj V.  
AGP for Respondent: Mr. A.R. Kale  
Advocate for Respondent Nos. 4 and 5 : Mr. Choudhari Yuvraj S

...

**AND**

**137 WRIT PETITION NO.7141 OF 2019**

KRUSHNA ABASAHEB MATE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Kakde Yuvraj V.  
AGP for Respondent: Mr. S. N. Morampalle  
Advocate for Respondent Nos. 4 and 5 : Mr. Choudhari Yuvraj S

...

**AND**

**138 WRIT PETITION NO.7142 OF 2019**

BALIRAM MURLIDHAR THORE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Kakde Yuvraj V.  
AGP for Respondent: Mr. S. B. Pulkundwar  
Advocate for Respondent Nos. 4 and 5 : Mr. Choudhari Yuvraj S

...

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

**DATE : 29/07/2019**

**PER COURT :**

1. The petitioners are transferred from unaided to aided post. The proposals seeking approval to their transfer from unaided to aided post are rejected under the impugned order.
2. The learned counsel for the petitioners submit that the appointment of the petitioners on unaided are approved by the Education Officer. According to the learned counsel before they were transferred to the aided post they had completed three years of service of unaided post. They are senior most on unaided post. On the basis of the circular dated 25.06.2016 their proposals are rejected.
3. We have heard the learned counsel for the Management and the learned A.G.P. The learned A.G.P. supports the order.
4. We have under our judgment dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ petitions have held that some of the clauses of the circular would not apply and are improper and cannot be enforced.
5. The impugned orders are quashed and set aside. The Education Officer shall consider the proposal seeking approval to the

transfer of the petitioners from unaided to aided post in tune with the judgment dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ petitions. The same shall be considered within a period of 4 months. Writ petition is disposed of no costs.

( MANGESH S. PATIL, J. )

( S. V. GANGAPURWALA, J. )

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