

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

WRIT PETITION NO. 5082 OF 2018

Bharti Sursing Rajput and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5083 OF 2018

Sangita Shivaji Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Vinod P. Patil, Advocate for Respondent Nos. 7 and 9.

WITH

WRIT PETITION NO. 5084 OF 2018

Nirmala Madhukar Suryawanshi .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Y. B. Bolkar, Advocate for Respondent Nos. 7 and 8.

WITH
WRIT PETITION NO. 5085 OF 2018

Manjusha Subhash Marathe and another.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Vinod P. Patil, Advocate for the Respondent No. 7.

WITH
WRIT PETITION NO. 5086 OF 2018

Kalpana Kashiram Savant and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Vinod P. Patil, Advocate for the Respondent No. 7.

WITH
WRIT PETITION NO. 5087 OF 2018

Vikas Bhausahab Borse and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.
Shri Vinod P. Patil, Advocate for the Respondent No. 7.

WITH
WRIT PETITION NO. 5088 OF 2018

Sarika Bapurao Navarkar and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH
WRIT PETITION NO. 5089 OF 2018

Malini Raysing Patil and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH
WRIT PETITION NO. 5090 OF 2018

Arti Kashinath Ahire and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH
WRIT PETITION NO. 5091 OF 2018

Riteshkumar Murlidhar Wani and another.. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH
WRIT PETITION NO. 5092 OF 2018

Jyoti Bhanudas Salunkhe and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH
WRIT PETITION NO. 5093 OF 2018

Punam Vasantrao Ahirrao and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH
WRIT PETITION NO. 5095 OF 2018

Archana Anil Waghmare and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5096 OF 2018

Ujjawala Pralhad Pawar and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5097 OF 2018

Vijay Daga Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri C. K. Shinde, Advocate for the Respondent No. 7.

WITH

WRIT PETITION NO. 5098 OF 2018

Eknath Laxman Gofane and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Vinod P. Patil, Advocate for the Respondent No. 7.

WITH

WRIT PETITION NO. 5099 OF 2018

Rubinabano Jafarbeldar Shaikh

and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5100 OF 2018

Manisha Ramesh Bhamare and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5102 OF 2018

Manisha Eknath Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Y. B. Bolkar, Advocate for the Respondent No. 8.

Shri Vinod P. Patil, Advocate for the Respondent No. 10.

WITH

WRIT PETITION NO. 5103 OF 2018

Shobha Jaysing Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5104 OF 2018

Seema Dhansing Rajput and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Y. B. Bolkar, Advocate for the Respondent No. 8.

Shri Vinod P. Patil, Advocate for Respondent Nos. 10 and 11.

WITH

WRIT PETITION NO. 5106 OF 2018

Vijay Gulabrao Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Y. B. Bolkar, Advocate for Respondent Nos. 7 and 10.

Shri Vinod P. Patil, Advocate for Respondent Nos. 09, 11 & 12.

WITH

WRIT PETITION NO. 5107 OF 2018

Nirmala Dhansing Solanki and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5109 OF 2018

Swapnali Popatrao Pagar and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri C. K. Shinde, Advocate for the Respondent No. 7.

WITH
WRIT PETITION NO. 5149 OF 2018

Atmaram Dhanraj Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Vinod P. Patil, Advocate for Respondent Nos. 9 to 11.

WITH
WRIT PETITION NO. 5150 OF 2018

Hilal Govindrao Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH
WRIT PETITION NO. 5151 OF 2018

Sudhir Yadavrao Bhamre .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for the Petitioner.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5155 OF 2018

Sopandeo Govinda More and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Vinod P. Patil, Advocate for the Respondent No. 9.

Shri Y. B. Bolkar, Advocate for Respondent Nos. 10 and 12.

WITH

WRIT PETITION NO. 5156 OF 2018

Sujata Dilip Deore .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for the Petitioner.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

WITH

WRIT PETITION NO. 5157 OF 2018

Vinod Kashinath Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Vinod P. Patil, Advocate for Respondent Nos. 7 and 8.

WITH
WRIT PETITION NO. 5158 OF 2018

Vijay Jagannath Patil and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri M. S. Sonawane, Advocate for Respondent Nos. 3 to 5.

Shri Y. B. Bolkar, Advocate for Respondent Nos. 08 and 10.

WITH
WRIT PETITION NO. 5526 OF 2018

Madhav Namdevrao Sonvane and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Sambhaji G. Munde, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 to 6.

Shri Sachin G. Joshi, Advocate for Respondent Nos. 7 and 8.

WITH
WRIT PETITION NO. 5538 OF 2018

Vidya Pandurang Chaudhari and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Thombre, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri Kiran B. Jadhavar, Advocate for the Respondent No. 3.

WITH

WRIT PETITION NO. 5589 OF 2018

Narayan Ramrao Tarate and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Thombre, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri Kiran B. Jadhavar, Advocate for the Respondent No. 3.

WITH**WRIT PETITION NO. 5784 OF 2018**

Prashant Prameshwar Mane and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Ms. Pradnya S. Talekar, Advocate i/by S. B. Talekar and
Associate, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri Rajdeep D. Raut, Advocate for Respondent Nos. 3 and 4.

WITH**WRIT PETITION NO. 5796 OF 2018**

Shabana Tabassum Shaikh Mohammed .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Mahesh V. Ghatge, Advocate for the Petitioner.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for the Respondent No. 1.

Shri Sachin G. Joshi, Advocate for Respondent Nos. 2 and 3.

WITH**WRIT PETITION NO. 5797 OF 2018**

Sandhya Sopanrao Nagargoje .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Thombre, Advocate for the Petitioner.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri Kiran B. Jadhavar, Advocate for the Respondent No. 3.

WITH

WRIT PETITION NO. 5806 OF 2018

Bhupendrasing Baburao Mahale

and another

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Dhananjay B. Thoke, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri Maheshkumar S. Sonawane, Advocate for the Respondent
No. 3.

WITH

WRIT PETITION NO. 5816 OF 2018

Dnyaneshwar Balasaheb Sonawane

and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Ms. Pradnya S. Talekar, Advocate i/by S. B. Talekar and
Associate, Advocate for Petitioners.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri Avinash D. Aghav, Advocate for Respondent Nos. 3 and 4.

WITH
WRIT PETITION NO. 5821 OF 2018

Vijay Laxman Narwade and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Ms. Pradnya S. Talekar, Advocate i/by S. B. Talekar and
Associate, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri Avinash D. Aghav, Advocate for Respondent Nos. 3 and 4.

WITH
WRIT PETITION NO. 5828 OF 2018

Babasaheb Nivruti Gavhane
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Vilas P. Savant, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for the Respondent No. 1.
Shri Kiran B. Jadhavar, Advocate for Respondent Nos. 2 and 3.

WITH
WRIT PETITION NO. 6148 OF 2018

Sayyed Nazima Parveen Taher .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Thombre, Advocate for the Petitioner.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri Kiran B. Jadhavar, Advocate for the Respondent No. 3.

WITH
WRIT PETITION NO. 6568 OF 2018

Milind Ambadas Netke .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Mrigesh D. Narwadkar, Advocate for the Petitioner.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri Kiran B. Jadhavar, Advocate for the Respondent No. 3.

WITH
WRIT PETITION NO. 6574 OF 2018

Santosh Nana Karode and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Ms. Pradnya S. Talekar, Advocate i/by S. B. Talekar and
Associate, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondents/State.

WITH
WRIT PETITION NO. 6586 OF 2018

Suvarna Navnath Khade .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Mrigesh D. Narwadkar, Advocate for the Petitioner.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri Kiran B. Jadhavar, Advocate for the Respondent No. 3.

WITH
WRIT PETITION NO. 6597 OF 2018

Narayan Ramrao Tarte .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Mrigesh D. Narwadkar, Advocate for the Petitioner.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri Kiran B. Jadhavar, Advocate for the Respondent No. 3.

WITH

WRIT PETITION NO. 7102 OF 2018

Jyoti Laxman Shirole and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Ms. Pradnya S. Talekar, Advocate i/by S. B. Talekar and
Associate, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri Vikramsinh P. Patil, Advocate for the Respondent No. 4.

WITH

WRIT PETITION NO. 7106 OF 2018

Jayshri Govardhan Rathod .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sambhaji G. Munde, Advocate for the Petitioner.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 to 6.
Ms. Manjushri Shendage-Narwade, Advocate for Respondent
Nos. 7 and 8.

WITH

WRIT PETITION NO. 7113 OF 2018

Sampada Pandurang Jadhav .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Ms. Pradnya S. Talekar, Advocate i/by S. B. Talekar and
Associate, Advocate for the Petitioner.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.

Shri Suhas B. Ghute, Advocate for the Respondent No. 3.

WITH

WRIT PETITION NO. 7372 OF 2018

Shitalkumar Vasantrao Sukale .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Vilas P. Savant, Advocate for the Petitioner.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for the Respondent No. 1.

Shri Kiran B. Jadhavar, Advocate for Respondent Nos. 2 and 3.

WITH

WRIT PETITION NO. 9544 OF 2018

Choutrabai Govindrao Mhetre .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for the Petitioner.

Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 to 3.

WITH

WRIT PETITION NO. 7636 OF 2018

Savita Jagannath Suryawanshi and others.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Mrigesh D. Narwadkar, Advocate for Petitioners.
Shri V. J. Dixit, Senior Counsel i/by Shri S. B. Yawalkar,
Addl.G.P. for Respondent Nos. 1 and 2.
Shri V. M. Chate, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 20TH MARCH, 2019.

FINAL ORDER :

. The petitioners are challenging transfer orders effected during the general transfers for the academic year 2018-2019. Now the general transfers for the academic year 2019-2020 would be effectuated. It will not be appropriate, now to decide these matters claiming transfers on the ground of couple convenience individually on merits.

2. The learned counsel for respective petitioners in these petitions submit that, the petitioners have applied for transfer on the ground of couple convenience and they have been issued with the transfer orders beyond the periphery of 30 K.M. thereby negating very policy as enshrined under the Government Resolution dated 27.02.2017. According to petitioners they are transferred at the distance of 60 to 100 K.M. and the cases for couple convenience has not been considered.

3. Mr. Dixit, the learned senior advocate for the respondents/State and the learned counsel for respective Zilla Parishads submit that all the petitioners have not applied for transfers on the ground of couple convenience, as such they are not entitled to claim benefit of couple convenience for transfer. Those who had applied for transfer on the ground of couple convenience, their cases are considered and endeavour is made to transfer them within the periphery of 30 K.M. of the place of work of their spouse. In some cases, if the transfers could not be effectuated within the periphery of 30K.M., they have been accommodated at the nearest place of work of their spouse.

4. As now one year has almost lapsed the transfers are effectuated and the petitioners have joined at transferred places. There are rival contentions, it would not be possible to evaluate each and every application given by the petitioners seeking transfer, so also considering rival contentions. The petitioners are contending that they have applied for transfer on the ground of couple convenience and the respondents are contending that many of the petitioners have not sought benefit of couple convenience at the time of transfer.

5. The Government Resolution dated 27.02.2017 contemplates transfer on the ground of couple convenience on the terms set out in the G. R. It further contemplates transfer within 30 K.M. of the place of work of their spouse. We may

observe that, the condition of 30 K.M. cannot be construed by mathematical precision. For illustration, if the person is accommodated at distance of 34/35 K.M. of the place of work of his spouse considering availability of vacancy, it cannot be said that G. R. dated 27.02.2017 is violated. However, said condition has to be observed in its letter and spirit. Endeavour is required to be made to place the persons eligible for transfer on the ground of couple convenience within the distance of approximately 30 K.M from the place of work of their spouse. Of course, the same would also depend upon the availability of vacancies.

6. Considering the above, we pass following order.

7. Those petitioners who have applied for transfer on the ground of couple convenience for the academic year 2018-2019 and those who could not be accommodated within the distance of 30 K.M. of the place of working of the respective spouse, the respondents shall consider their cases of accommodating them within the distance of 30 K.M. or nearby distance to the place of working of their spouse, keeping in mind parameters laid down in Government Resolution dated 27th February, 2017 and availability of vacancies. While taking up this exercise, efforts should be taken to see that, those persons who are legitimately working at their allotted place are also not disturbed.

8. In view of the above, writ petitions are disposed of. No costs.

[A. M. DHAVALA, J.]

[S. V. GANGAPURWALA, J.]

bsb / March 19