

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

54 WRIT PETITION NO.7841 OF 2019

**DILIP VENKATRAO BOIENAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Prasad Dikle h/f Panpatte V.S.
AGP for Respondents: A.R.Kale

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

DATE : 08/08/2019

PER COURT :

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

2] The petitioner was appointed on unaided post as Assistant Teacher on 17/6/2015. The appointment of the petitioner on unaided post is approved by the Education Officer under order dated 26/12/2016. The petitioner is transferred to the aided post on 15.12.2018. The petitioner is the senior most teacher on the unaided post. According to the petitioner, petitioner's appointment is as per roaster.

3] We have heard the learned counsel for the petitioner and the learned A.G.P.

4] We have considered the issue of Circular dated 28.06.2016 under judgment dated 04.07.2019 passed in Writ Petition No. 1493 of 2018 with connected Writ Petitions and held that all the clauses of

the circular dated 28.06.2016 would not apply.

5] Considering the above, impugned order is quashed and set aside. The Education Officer shall reconsider the proposal seeking approval to the appointment of the petitioner in tune with the judgment dated 4/7/2019 passed in Writ Petition No. 1493 of 2018 with connected Writ Petitions.

6] Writ Petition is disposed of. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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