

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7892 OF 2019

PRANITA ANNARAO KALLURE

...PETITIONER

VERSUS

THE STATE OF MAHARASHTRA
AND OTHERS

...RESPONDENTS

Mr. V.G. Kodale, Advocate holding for
Mr. V.D. Gunale, Advocate for Petitioner
Mr. V.M. Kagne, AGP for Respondents-State

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 26th AUGUST, 2019

ORAL ORDER:

1. In this matter, petitioner claimed to be appointed by following regular selection process as Assistant Teacher on unaided post. The petitioner contends that his appointment on unaided post is approved by the Education Officer. He has completed three years as Assistant Teacher on unaided post. He is senior most on the unaided post. In view of that, the petitioner is transferred from unaided to aided post. His proposal for approval is rejected on the ground of circular dated 26.06.2016 and that there are surplus candidates available.

2. Under judgment and order dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ petitions, we have held that some of the clauses of circular dated 26.06.2016 would not apply.

3. In light of the above, we pass the following order:

ORDER

- i. The impugned order rejecting proposal seeking approval to the transfer of the petitioner from unaided to aided post is quashed and set aside.
 - ii. The Education Officer shall reconsider the said proposal in tune with the judgment and order dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ petitions. The decision shall be taken by the Education Officer on the said proposal within a period of four months from today.
4. Writ Petition is disposed of. No costs.

**[ANIL S.KILOR]
JUDGE**

**[S.V.GANGAPURWALA]
JUDGE**

mta