

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

75 WRIT PETITION NO.8277 OF 2019

EDUCATION SOCIETY DHANER THROUGH ITS CHAIRMAN
CHARUSHILA JAYWANT PATIL AND OTHERS ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. Ajay D. Pawar, Advocate for the Petitioners.

Mr. S. G. Karlekar, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATED : 14th NOVEMBER, 2019.

PER COURT:-

1. Though respondent no.3-Education Officer (Primary) is served, none appears for respondent no.3-Education Officer (Primary).

2. The proposal seeking approval to the transfer of petitioners from unaided to aided is rejected basically on the ground of circular dated 28.06.2016.

3. We have heard Mr. Pawar, learned counsel for petitioners.

4. We have under our judgment dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ petitions held that some of the clauses of the circular dated 28.06.2016 would not apply.

5. In light of that, impugned order is quashed and set aside. The respondent no.3 shall decide the proposal seeking transfer of petitioners from unaided to aided posts afresh in tune with the judgment delivered by this Court on 04.07.2019 in Writ Petition No.1493/2019 with connected writ petitions. The same be decided expeditiously and preferably within a period of four (04) months.

6. Writ Petition is disposed of. No costs.

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE