

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

964 WRIT PETITION NO.9508 OF 2019

SHAMKANT NANASAHEB BORSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Shinde Balaji S.
AGP for Respondents/State : Mr. A.R. Kale
Advocate for Respondents : Mr. R.S. Pawar for R/3 & 4

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

DATE : 31.07.2019

PC. :-

Mr. Shinde the learned counsel submits that the petitioners are serving in tribal areas since 2017. The Teachers from tribal areas are available to officiate in the tribal area, as such the petitioners be moved out of the tribal area as there are still vacant posts available.

2. The learned A.G.P accepts notice for respondent nos.1 and 2. Mr. Pawar the learned counsel accepts notice for respondent nos.3 and 4.

3. It appears that assurance is given in the posting order itself. The Chief Executive Officer upon an application made by the petitioners may consider the transfer of the petitioners to the non tribal area, in case the posts

on which the petitioners are officiating are filled in from the Teachers of tribal area and vacancies are otherwise available in other areas. Writ petition accordingly disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]