

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO.12103 OF 2019

SANDIP KISAN GHOGARE
 VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr Shelke Shivaji T.
 AGP for the Respondents State: Mr S B Yawalkar
 Advocate for Respondents No.4 : Mr Shriniwas S Wagh

CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE : 3rd October, 2019

ORDER:

1. The proposal seeking approval to the transfer of the petitioner from unaided to aided basis is rejected. Rejection is basically on the ground of Circular dated 31st March, 2017 and the Government Resolution dated 23rd June, 2017 about 'Pavitra Portal'. We had, in Writ Petition No.1493/2018, under judgment dated 04.07.2019, held that the management has got right to transfer a person from unaided to aided basis subject to restrictions as are enumerated in the said judgment. However, for transferring a person from unaided to aided basis, aspect of absorption of surplus candidate and about Pavitra Portal would not be an impediment.

2. In light of above, the impugned order is quashed and set aside. The Education Officer shall decide the

proposal seeking transfer of the petitioner from unaided to aided basis in tune with the directions issued in Writ Petition No.1493/2018 dated 04.07.2019. The same be decided expeditiously, preferably within four months.

3. Writ Petition disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC