

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 WRIT PETITION NO.12505 OF 2019

SUSHIL SHESHRAO SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr Venjane Tukaram M.
Addl.GP for Respondents State: Mrs M A Deshpande
Advocate for respondent No.3: Mr V.C. Valse

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

DATE : 15th October, 2019

ORDER:

1. Proposal seeking transfer of the petitioner from unaided to aided basis is rejected.

2. We have heard Mr. Venjane, learned counsel for the petitioner, learned Additional G.P. for respondent No.1 and 2 and learned counsel for respondent no.3.

3. We have, under order dated 4th July, 2019 in writ petition No.1493/2018 with connected writ petitions observed that some of the clauses of the Government Circular dated 28.06.2016 are not applicable. We have set out the conditions which are required to be considered while considering the proposal seeking transfer from unaided to aided posts. In the present case, the approval is rejected on the ground of Circular dated 28.06.2016.

4. In light of above, the impugned order is quashed and set aside.

5. The Education officer shall consider the proposal seeking approval to the transfer of the petitioner from unaided to aided basis in tune with the judgment delivered by this Court dated 4th July, 2019 in writ petition No.1493/2018 with connected writ petitions. The same shall be decided expeditiously preferably within six months.

6. Writ petition disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC