

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 13507 OF 2019

Swati d/o Bansi Dalvi

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Dr.(Mr.) S.D.Tawshikar, advocate for the petitioner.
Mr.P.G.Borade, AGP for Respondents No.1 & 2.

**CORAM : S.V.GANGAPURWALA &
AVINASH G. GHAROTE, JJ.
DATE : 07th November, 2019.**

PER COURT :

1 The proposal seeking approval to the transfer of the petitioner from unaided to aided division is rejected.

2 On perusal of the impugned order, it is manifest that the proposal is rejected only on the ground that there are surplus teachers and as such, approval cannot be granted to the transfer of the petitioner from unaided to aided division.

3 This Court, vide judgment dated 04.07.2019 in Writ Petition No.1493 of 2018 with connected writ petitions, has observed that some of the clauses of the circular are inapplicable.

4 In the light of the above, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal seeking approval to the transfer of the petitioner from unaided to aided division in tune with judgment of this Court dated 04.07.2019 in Writ Petition No.1493 of 2018 with connected writ petitions, within six months.

4 Writ Petition is accordingly disposed of. No costs.

AVINASH G.GHAROTE
JUDGE

S.V.GANGAPURWALA
JUDGE

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