

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

WRIT PETITION NO. 14039 OF 2019

SWATI ASHOK KHANAPURE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:
Mr. T. G. Gaikwad

...

WRIT PETITION NO. 14040 OF 2019

SACHIN ARVINDAPPA GIRWALKAR
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:
Mr. T. G. Gaikwad

...

WRIT PETITION NO. 14041 OF 2019

VIKAS VINAYAKRAO BHINGOLE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:

Mr. T. G. Gaikwad

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WRIT PETITION NO. 14042 OF 2019

SANGMESHVAR VIJAYKUMAR CHOUDHARY

VERSUS

THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.

Addl.G.P. for Respondents No. 1 & 2 :

Mrs. A. V. Gondhalekar

Advocate for Respondents No. 3 & 4:

Mr. T. G. Gaikwad

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WRIT PETITION NO. 14043 OF 2019

SHILPA VIJAYKUMAR KHANDARE

VERSUS

THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.

Addl.G.P. for Respondents No. 1 & 2 :

Mrs. A. V. Gondhalekar

Advocate for Respondents No. 3 & 4:

Mr. T. G. Gaikwad

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WRIT PETITION NO. 14044 OF 2019

SWAPNA TULSHIDAS SALMOTE

VERSUS

THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.

Addl.G.P. for Respondents No. 1 & 2 :

Mrs. A. V. Gondhalekar

Advocate for Respondents No. 3 & 4:

Mr. T. G. Gaikwad

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WRIT PETITION NO. 14045 OF 2019

KEDAR RAMLING BURANDE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:
Mr. T. G. Gaikwad

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WRIT PETITION NO. 14046 OF 2019

ANJANA GANPATRAO WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:
Mr. T. G. Gaikwad

...

WRIT PETITION NO. 14047 OF 2019

SACHIN RAVAN CHAVAN
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:
Mr. T. G. Gaikwad

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WRIT PETITION NO. 14048 OF 2019

DAYANAND HARIRAM BANAPURE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:
Mr. T. G. Gaikwad

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WRIT PETITION NO. 14049 OF 2019

MANISHA VITTHAL BHOSLE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Ghatge Mahesh V.
Addl.G.P. for Respondents No. 1 & 2 :
Mrs. A. V. Gondhalekar
Advocate for Respondents No. 3 & 4:
Mr. T. G. Gaikwad

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

DATE: 20th NOVEMBER, 2019

PER COURT:

1. The proposals seeking approval to the transfers of the petitioners from unaided to aided posts are rejected basically on the ground of Circular dated 28.06.2016.

2. We have heard the learned counsel for the petitioners and the learned Additional Government Pleader.

3. This Court in Writ Petition No. 1493 of 2018 with connected writ petitions under its judgment and order dated 04.07.2019 has observed that some of the clauses of Circular dated 28.06.2016 would not apply.

4. However, the Education Officer is required to consider the seniority, the appointments of the petitioners as per the roster and the appointments of the petitioners being approved on unaided posts.

5. In light of the above, the impugned orders are quashed and set aside. The Education Officer shall reconsider the proposals seeking approval to the transfers of the petitioners from unaided to aided in tune with judgment and order of this Court dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected writ petitions.

6. Writ Petitions stand disposed of accordingly. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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