

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.331 OF 2019

Maruti Kallapa Patil	}	Petitioner
Vs		
The State of Maharashtra through	}	
Principal Secretary, Education and	}	
Sports Department and Ors.	}	Respondents

Mr.Ramesh R. Badi for the Petitioner.

Ms.S.D.Vyas, 'B' Panel Counsel for State.

**CORAM :- S. C. DHARMADHIKARI &
M. S. KARNIK, JJ.**

DATE :- FEBRUARY 21, 2019

P.C. :-

1. After this petition was heard for some time, the only grievance of the petitioner is that he is not averse to being shifted from Janata Vidyalaya, at post Turkewadi, Taluka Chandgad, District Kolhapur. If he is rendered surplus and thus, an excess teacher and respondent Nos.1 and 2 have taken steps to protect his job, but has directed that he should work at Distinct school and which school is within District Kolhapur, namely, Shantaram Krishna Datar English School, Hupari, Taluka Hatkanangale, then, at the end of the Academic Year, atleast the petitioner's request to bring him to a school nearby his residence be sympathetically considered. He says that he is a resident of Turkewadi, Taluka Chandgad, District Kolhapur and if he has to

go to the school, namely, Shantaram Krishna Datar English School, Hupari, Taluka Hatkanangale, then, he has to travel nearly 135 kilometers. That takes substantial part of his day. He has hardly any time to teach the children. In the end, the children would suffer for it is only when the petitioner reaches that school, he can teach them.

2. Once we have seen that the petitioner's job is protected, he is not rendered Jobless and equally his pay and emoluments, then, the petitioner must continue to report to the duties at the transferred school.

3. We direct that the second respondent shall consider his representation for shifting him from Shantaram Krishna Datar English School, Hupari, Taluka Hatkanangale, District Kolhapur to a school nearby Turkewadi, Taluka Chandgad, District Kolhapur. Let that be done in the annual exercise to be carried out in the month of March-April, 2019. That is the end of the current Academic Session. Hopefully, in the new Academic Session, the authorities would redress the grievance of the petitioner.

4. With these directions, we dispose of this writ petition.

(M.S.KARNIK, J.)

(S.C.DHARMADHIKARI, J.)