

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6152 OF 2013
WITH
CIVIL APPLICATION NO. 222 OF 2017

Bharat Shikshan Sanstha, Utagi	}	Petitioner
versus		
The Education Officer	}	
(Secondary), Zilla Parishad,	}	
Sangli and Ors.	}	Respondents

Mr.N.V.Bandiwadekar with Mr.Akshay
Kulkarni I/b. Mr.A.M.Kulkarni for the
petitioner.

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

Mr.Kishor S.Patil for respondent no. 4.

Mr.R.M.Haridas for Intervener in
CAW/222/2017.

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

DATE :- FEBRUARY 12, 2019

P.C. :-

1. After this writ petition was argued for some time and we invited the attention of the counsel appearing for respondent no.4 to the order of transfer, which is issued, in our opinion, for administrative exigencies and purely for achieving optimum academic results, on taking instructions from Mr.Mallikarjun Dhareppa Sankh, the fourth respondent, who is present in court,

Mr.Kishor Patil learned advocate says that within two weeks from today, he will report for duties at the transferred school. He would, without any hesitation and dispute, report for duties and perform the task assigned to him to the best of his ability. He will discharge his duties as a teacher till such time as the management desires him to be a teacher in the said school.

2. On such a statement being made and voluntarily, we called upon Mr.Bandiwadekar appearing for the petitioner-educational institution/management and he says, on taking instructions from Mr.Shivgunda Patil, the Secretary of the petitioner institution, who is present in court, that the petitioner does not hold any grudge nor has any personal grievance against the fourth respondent and will allow him to join the transferred place belatedly. The management will not initiate any disciplinary action for his failure to report for duties and because he has approached this court and that the transfer order could not take effect for six years.

3. In view thereof, we dispose of this writ petition and we say unhesitatingly that this is an amicable settlement and arrangement which enables us to dispose of the writ petition.

(M.S.KARNIK, J.)

(S.C.DHARMADHIKARI, J.)