

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.747 OF 2020
(Popat Dashrath Satpute Vs. The State of Maharashtra and others)

Mr. Shambhuraje V. Deshmukh, Advocate for the petitioner
Mr. S.B. Narwade, A.G.P. for the respondent/State

CORAM : S.V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.

DATE : 13.01.2020

PER COURT :

The proposal seeking approval to the transfer of the petitioner from unaided post to aided post is rejected. The same is rejected basically on the basis of Circular dated 28.06.2016.

2. We have heard the learned counsel for the petitioner and the learned A.G.P.

3. This Court, under its judgment and order dated 04.07.2019 delivered in Writ Petition No. 1493 of 2018 with connected Writ Petitions, has held that some of the clauses of the Circular dated 28.06.2016 do not apply. It appears that the said judgment has not been considered by the Authority while passing the impugned order.

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

5. The Education Officer shall decide the proposal seeking approval to the transfer of the petitioner from unaided post to aided post afresh in tune with the judgment dated 04.07.2019 delivered by this Court in Writ Petition No.1493 of 2018 with connected Writ Petitions. The same shall be decided expeditiously and preferably within a period of four months.

6. The Writ Petition is disposed of. No costs.

[MANGESH S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

npj/wp747-2020