

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

WRIT PETITION NO. 3569 OF 2020

Vaidya Pallavi Badshaha and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Shivaji T. Shelke, Advocate for the Petitioner.

Mrs. Rashmi P. Gaur, A.G.P. for the Respondent Nos. 1 and 2.

Shri Manoj A. Dond, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 04TH MARCH 2020.

FINAL ORDER :

. The proposal seeking approval to the transfer of the petitioners from unaided to aided is rejected.

2. The learned Assistant Government Pleader accepts notice for respondents no. 1 and 2. Mr. Dond, learned counsel waives service of notice for respondent no. 3.

3. Mr. Shelke, learned counsel for the petitioners submits that on the basis of Circular dated 31.03.2017 and Government Resolution dated 23.06.2017, transfer of the petitioners from unaided to aided is rejected. The petitioners are working for more than three years on unaided post. The petitioners are the senior most teachers on unaided divisions. The roster is also followed.

4. We have under our judgment and Order dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected writ petitions laid down the guidelines for considering the proposal seeking approval to the transfer of the petitioners from unaided to aided divisions.

5. Considering the above, the impugned order is quashed and set aside. The respondent / Education Officer (Secondary), Zilla Parishad, Ahmednagar shall decide the proposal of the petitioners seeking approval to the transfer of the petitioners from unaided to aided division afresh in the light of the decision given in Writ Petition No. 1493 of 2018 with connected writ petitions dated 04.07.2019. The same shall be decided expeditiously and preferably within a period of four (04) months from today.

6. In view of the above the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/March 20