

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

WRIT PETITION (ST) NO. 12109 OF 2020

Arjun Bhagwanrao Sabale

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. S.S. Dambe, Advocate for petitioner

Mrs. V.S. Choudhari, A.G.P. for respondent – State

....

**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATE : 20th JULY, 2020

ORDER :

Heard learned Counsel for the petitioner and learned A.G.P.

2. The proposal seeking approval to transfer of the petitioner from unaided to aided is rejected basically on the basis of circular dated 28th June, 2016 and that there are access teachers.

3. This Court in Writ Petition No. 1493 of 2018 and connected writ petitions under judgment and order dated 04th July, 2019 has considered that some of the clauses of circular dated 28th June, 2016 are illegal.

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

The Education Officer shall reconsider the proposal seeking approval to the transfer of petitioner from unaided to aided in tune that the judgment and order of this Court dated 04th July 2019 in Writ Petition No. 1493 of 2018 with connected writ petitions. Writ petitions is accordingly disposed of. No costs.

(R.G. AVACHAT, J.)

SSD

(S.V. GANGAPURWALA, J.)