

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

WRIT PETITION NO.2634 OF 2020

Maruti P. Misal and ors. ... Petitioners
V/s.
State of Maharashtra ... Respondent

Mr.Vijay Latange i/by Mr.Balaji Shinde, Advocate for the
Petitioners.
Mr.C.D.Mali, AGP for the State.
Mr.Ashok Misal, Advocate for Respondent Nos.3 and 4.

**CORAM : UJJAL BHUYAN &
N.R.BORKAR, JJ.
DATE : JULY 16, 2020**

P.C.:-

1. Heard learned counsel for the parties.
2. Mr.Latange, learned counsel for the petitioners submits that petitioners are teachers serving in various schools under Zilla Parishad, Solapur. They were transferred in the year 2018 to different places which according to Mr.Latange are not at all convenient. Being disciplined teachers, they however complied with the orders of transfer.
3. Mr.Latange submits that State Government had issued a circular on 20th June, 2018 giving option to the teachers for having better choice of posting. In this connection, petitioners had submitted representation before the Chief Executive Officer of Solapur Zilla Parishad on 20th July, 2019, but unfortunately Chief Executive Officer has not taken any decision in this regard till date.
4. With the above grievance, the present writ petition has been filed.

5. Learned AGP submits that Divisional Commissioner, Aurangabad has been wrongly arrayed as respondent in this case whereas he should have been Divisional Commissioner, Pune.

6. On the other hand Mr.Ashok Misal, learned counsel appearing for respondent Nos.3 and 4 submits that the Chief Executive Officer may first have to examine whether the Government circular dated 20th June, 2018 would be applicable in the case of the petitioners.

7. At this stage, learned counsel for the petitioners has referred to an order dated 5th August, 2019 passed by the Aurangabad Bench of this court in writ petition No.978 of 2019 and submits that similar order may be passed in the present case as well.

8. After hearing learned counsel for the parties and on due consideration, we direct Chief Executive Officer, Solapur Zilla Parishad to take a decision on the representation of the petitioners dated 20th July, 2019 on its own merit. While taking the decision he may also consider as to whether Government circular dated 20th June, 2018 would be applicable in respect of the petitioners.

9. Let the above exercise be completed within a period of four weeks from the date of receipt of a copy of this order.

10. Writ petition is accordingly disposed of. No cost.

11. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(N.R.BORKAR, J.)

(UJJAL BHUYAN, J.)