

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 8764/2018.

Rahul Janardhan Wagh and others.

-VERSUS-

The State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri N.B. Kalwaghe, Advocate for Petitioners.
Shri S.J. Kadu, A.G.P. for Respondent No.1.
Mrs. S. Jachak, Advocate for Respondent No.2.
Shri S.N. Gaikwad, Advocate for Respondent Nos. 4 and 5.

CORAM : A.S. CHANDURKAR
& VINAY JOSHI, JJ.

DATE : FEBRUARY 11, 2020.

Heard.

2. The only relief sought by petitioners in this petition is consideration of proposals made for approving their transfers from non-aided sections of respondent nos. 4 and 5 to aided sections. On 21.08.2017 and 27.11.2018, such request for approving the transfers have been made to the Education Officer (Primary).

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3. It is not in dispute that till date said proposals have not been adjudicated upon.

4. According to the learned counsel for petitioners in view of the judgments in Writ Petition No. 5313/2017 (Miss Devkar Dipali Kisan and others .vrs. The State of Maharashtra and others) decided on 25.04.2019 at the Principal Seat, and Writ Petition No.7011/2016 (Gurudev Shikshan Sanstha Mukhed and others vrs. The State of Maharashtra and another) decided on 12.10.2017 by Aurangabad Bench, the transfers as made, are liable to be approved.

5. Present Writ Petition is disposed of by directing respondent no.2 to grant an opportunity of hearing to petitioners and to take a decision on the proposal dated 21.08.2017 and 27.11.2018. The effect of the aforesaid decisions shall be taken into consideration while deciding the said proposals.

6. Petitioners as well as Management shall appear before the Education Officer (Primary) on 26.02.2020. Necessary decision be taken by the said Authority, within a period of six weeks from that date.

7. Till such decision is taken, the interim

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order dated 09.01.2019, shall continue to operate, but,
without prejudice to the rights of parties.

JUDGE

JUDGE

Rgd.