

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

59 WRIT PETITION NO.807 OF 2021

SWAPNA CHANDRAKANT DESHPANDE

VERSUS

THE STATE OF MAHARASHTRA THRU ITS SECRETARY AND OTHERS

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Advocate for Petitioners : Mr. Rajendra J. Godbole

AGP for Respondent Nos.1 to 3: Mr. S.R. Yadav

Advocate for Respondent Nos.4 & 5 : Shantanu Deshpande

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CORAM : S. V. GANGAPURWALA &

SHRIKANT D. KULKARNI, JJ.

DATED : 18th JANUARY , 2021.

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PER COURT :

1. The learned AGP accepts notice for respondents Nos.1 to 3.
2. The proposal seeking transfer of the petitioner from unaided to aided divisions is rejected. This Court, under the judgment dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected matters has held that some of the clauses of the Circular dated 28.06.2016 do not apply to the petitioner.
3. In light of that the impugned order is quashed and set aside.
4. The Education Officer shall decide the proposals seeking

approval to the transfer of the petitioner from unaided to aided division, afresh in tune with the decision dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected matters. The same be decided preferably within four months.

5. Writ petition is accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)

vsm/-