

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

WRIT PETITION NO. 3720 OF 2021

Swati Balaji Karaknale ... Petitioner.

Versus

The State of Maharashtra
and others ... Respondents.

....

Mr. D.S. Mali, Advocate for the Petitioner.
Mr. A.R. Kale, A.G.P. for Respondent Nos.1, 2 and 3.

....

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

DATE : 25th FEBRUARY, 2021

PER COURT:-

1. The learned counsel for the petitioner submits that the proposal seeking approval to transfer of the petitioner from unaided to aided post is rejected basically on the basis of Circular dated 28.06.2016.
2. We have heard the learned A.G.P. for respondent Nos. 1 to 3.
3. 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 petitioners.

4. In light of that, we pass the following order.
5. The impugned orders are quashed and set aside.
6. The Education Officer shall re-consider the proposal seeking approval to the transfer of the petitioner from unaided to aided post on its own merits, in accordance with law, policy and in tune with the judgment dated 4.7.2019 in Writ Petition No. 1493 of 2018. The said proposal shall be decided expeditiously and preferably within a period of six (06) months.
7. Writ petitions are accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane