

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

WRIT PETITION NO. 1916 OF 2021

Suraj Bhaskarrao Suryawanshi	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 1936 OF 2021**

Ranjeet Ravindra Ingole	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2180 OF 2021**

Vikas Shrishailya Waghmode	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2181 OF 2021**

Ravikiran Kashinathrao Pawar	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2182 OF 2021**

Sujeet Rambhau Chikundre	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2183 OF 2021**

Sandip Nagnath Dudhbhate	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2184 OF 2021**

Balasaheb Vilasrao More	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2185 OF 2021**

Shankar Rajendra Misal	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2186 OF 2021**

Prashant Rangrao Salunke	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

**WITH
WRIT PETITION NO. 2152 OF 2021**

Rupesh Hariba Chavan	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

Mr. Santosh S. Jadhavar, Advocate for the Petitioners in all matters.
Mrs. P. V. Diggikar, AGP for Respondents-State in all matters.

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

DATED : 03rd February, 2021.

PER COURT:-

. The petitioners in all these writ petitions were appointed on unaided posts. After working for some time they were transferred to aided posts. The approvals have been granted to the transfers of the petitioners on the aided posts, but while granting approval the Education Officer did not consider the services rendered by the petitioners on unaided posts.

2. The petitioners' services are approved as Shikshan Sevaks from the date of transfer to the aided posts. It appears that, the said order was passed relying on the circular dated 28.06.2016.

3. While considering the cases of the petitioners for grant of approval to the transfers of the petitioners on unaided posts, the services rendered on unaided posts will also have to be considered. To illustrate, if an employee has rendered two years of service on unaided post and thereafter transferred, then the said person will have to work as a Shikshan Sevak on the aided post for one year and if the employee has worked for three years and more on unaided post before his transfer to the aided post, then in that case, the transfer will have to be

as an Assistant Teacher and not as a Shikshan Sevak.

4. We have under our judgment dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected matters held that some of the clauses of circular dated 28.06.2016 do not apply.

5. In the light of the above, the impugned orders to the extent of granting approval to the appointments of the petitioners as Shikshan Sevaks from the date of their transfer to the aided posts are set aside. The Education Officer shall consider the services rendered by the petitioners on unaided post and thereafter grant approval as observed above. The same shall be done expeditiously and preferably within a period of four (04) months from today.

6. Writ petitions are disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.