

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

47 WRIT PETITION NO.3271 OF 2021

SHAIKH AAQEB JAWED SHAIKH ILIYAS
VERSUS
EDUCATION OFFICER (SECONDARY) AND OTHERS

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Advocate for Petitioner: Mr. Dixit Sushant V.
AGP for Respondents/State: Mr. K. N. Lokhande

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

DATE: 22nd FEBRUARY, 2021

PER COURT:

1. The proposal seeking approval to the transfer of the petitioner from unaided to aided post is rejected on the basis of Circular dated 28.06.2016.

2. We have heard the learned A.G.P.

3. This Court under it's judgment and order dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected writ petition held that some of the clauses of the Circular dated 28.06.2016 do not apply.

4. In view of that, the impugned order is quashed and set aside.

5. The Education Officer shall decide the proposal seeking approval to the transfer of the petitioner from unaided to aided post on it's own merits and in tune with the judgment dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected writ petition. The same shall be decided expeditiously and preferably within a period of four (04) months.

6. Writ Petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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