

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

WRIT PETITION NO. 2495 OF 2020

Ganesh Shriram Ingole

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Irfan D. Maniyar, Advocate for the Petitioner.

Mrs. P V. Diggikar, AGP for Respondent No. 1.

Mr. V. S. Panpatte, Advocate for Respondent No. 2.

Mr. Harish S. Bali, Advocate for Respondent Nos. 3 and 4.

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

DATED : 22nd March, 2021.

PER COURT:-

. The proposal seeking approval to the transfer of the petitioner from unaided to aided is rejected.

2. We have heard the learned counsel for the parties.

3. The proposal is basically rejected on the basis of circular dated 28.06.2016. We have in our judgment and order dated 04.07.2019 in Writ Petition No. 1493 of 2018 with other connected matters observed that some of the clauses of the circular dated 28.06.2016 do not apply.

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

The respondent – Education Officer shall reconsider the proposal seeking approval to the transfer of the petitioner from unaided to aided post on its own merits in tune with the judgment of this Court dated 04.07.2019 in Writ Petition No. 1493 of 2018 with other connected matters. The Education officer naturally has to consider all other criterias including qualification, seniority and roaster. The said proposal be considered expeditiously and preferably within a period of six (06) months from today.

5. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

RS.B.