

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

WRIT PETITION NO. 3219 OF 2020

Govind Chagan Rathod

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Balaji S. Shinde, Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1 and 2.

Shri Suhas S. Shirsat, Advocate for Respondent Nos. 3 and 4.

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

DATE : 01ST FEBRUARY, 2021.

FINAL ORDER :

. We have heard Mr. Shinde, the learned advocate for the petitioner. The learned advocate submits that, the petitioner was transferred under the orders of the respondent No. 1/State of Maharashtra. The Beed Zilla Parishad did not accept the petitioner. The petitioner is required to be sent back under order dated 14.06.2018. The petitioner was required to join at Kolhapur again. The learned counsel further submits that, subsequently also Zilla Parishad Beed has absorbed candidates from other Zilla Parishads.

2. The learned advocate for the respondent/Zilla Parishad submits that, not a single candidate has been absorbed from other Zilla Parishads. The petitioner is only relying upon the list

that was submitted. As there are excess surplus teachers absorption has not been made of any person from the other Zilla Parishads.

3. As the post is not available with the Beed Zilla Parishad, it would not be appropriate to direct the Beed Zilla Parishad to accommodate the petitioner.

4. The petitioner is required to go back to his parent Zilla Parishad at Kolhapur meaning thereby that the transfer order which was issued in favour of the petitioner for transferring from Zilla Parishad Kolhapur to Zilla Parishad Beed did not take effect and under the impugned order the petitioner is required to go back to his parent Zilla Parishad Kolhapur. In view of that, we clarify that the impugned order or the transfer order from Kolhapur to Beed would not come in the way of the petitioner while computing five years as per the Government Resolution dated 24th April, 2017.

5. With these observations the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]