

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

WRIT PETITION NO. 5530 OF 2021

Rajesh Shivajirao Devkar	... Petitioner
Versus	
The State of Maharashtra and others	... Respondents
....	
Mr. V. S. Panpatte, Advocate for petitioner	
Mrs. V. N. Patil-Jadhav, AGP for respondent Nos. 1 and 2	
....	

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

DATED : 31st MARCH, 2021

PER COURT :-

1. The approval is granted to the transfer of the petitioner from unaided to aided post. The approval is granted on 20% grant-in-aid. It appears that initially, the petitioner was appointed on 01.11.2013. The approval was granted to the appointment of petitioner on unaided post by the Education Officer on 29.03.2014. The petitioner is transferred to aided post on 1.2.2020 i.e. after putting him almost more than 6½ years of service.

2. If the petitioner is transferred on 100% grant-in-aid, then approval ought to have granted on 100% grant-in-aid.

3. In light of above, the impugned order to the extent of granting approval on 20% grant-in-aid is quashed and set aside. The Education Officer shall consider that if the petitioner is transferred on 100% grant-in-aid post, then the approval ought to be granted on 100% grant-in-aid. The same shall be decided expeditiously preferably within a period of four months from today.

4. We have passed the aforesaid order as the transfer of the petitioner is already approved by the Education Officer meaning thereby that all the aspects are considered.

5. The writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

SMS