

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

WRIT PETITION NO. 5527 OF 2021

Govind Nagorao Shinde	... Petitioner
Versus	
The State of Maharashtra and others	... Respondents

....

Mr. S. G. Rudrawar, Advocate for petitioner

Mr. S. G. Karlekar, AGP for respondent Nos. 1 and 2

....

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

DATED : 31st MARCH, 2021

PER COURT :-

. The proposal seeking approval to the transfer of the petitioner from unaided to aided post is allowed. The transfer of the petitioner from unaided to aided is approved, but the same is approved in phase-wise manner.

2. It appears that the petitioner was appointed for the first time in the year 2007. The appointment of the petitioner on unaided post was approved under the order of the Education Officer dated 16.01.2012, the same was from 23.06.2010. The petitioner is transferred to the aided post on or about 09.04.2016 i.e. after continuous service for more than six years.

3. As the petitioner has already served for more than three years on unaided post and if the petitioner is transferred to 100% aided post, then approval ought to be granted on 100% aided post, instead of 20%.

4. In view of that the impugned order to the extent of granting approval from 2016-2017 on 20% grants in aid, is set aside. The Education Officer, if satisfied that transfer of the petitioner is on 100% grant-in-aid post, then he shall consider granting approval on 100% grant-in-aid from 22.07.2016. The same shall be done preferably within four months from today.

5. We have passed this order as the transfer of the petitioner is approved by the Education Officer, meaning thereby that all the aspects are considered.

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

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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