

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 7131 OF 2020

Smt. Sunita Ramdas Patil  
(Sau. Sunita Suresh Pawar)

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr V.S. Panpatte, Advocate for Petitioner  
Mr P.K. Lakhotiya, A.G.P. for Respondent Nos. 1 and 2

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

**DATE : 21<sup>st</sup> JANUARY, 2021**

**PER COURT :**

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. The learned counsel for the petitioner submits that the petitioner was appointed on unaided post on 09.06.2003. Her appointment on unaided post is approved by the Education Officer. She was transferred to the aided post on 15.06.2018 after completion of three years. She is the senior most amongst the unaided candidates and the appointment is also as per roster.

3. We have heard learned A.G.P. also.

4. We have considered the issue of circular dated 28.06.2016

under judgment dated 04.07.2019 passed in Writ Petition No. 1493 of 2018 with connected Writ Petitions and held that all the clauses of the circular dated 28.06.2016 would not apply.

5. Considering the above, impugned order is quashed and set aside. The Education Officer shall consider the proposal seeking approval to the transfer of the petitioner from unaided to aided post on its own merits and in tune with the judgment dated 04.07.2019 in Writ Petition No. 1493 of 2018 with connected Writ Petitions.

6. Writ Petition is disposed of. No costs.

**[ SHRIKANT D. KULKARNI, J. ]**

**[ S.V. GANGAPURWALA, J. ]**

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