

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

1052 WRIT PETITION NO.9718 OF 2021

**SHAM NARAYANRAO MIRGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner: Mr. Kedar Shrimant R
AGP for Respondent No. 1: Mr. K. N. Lokhande
Advocate for Respondents No. 2 to 4: Mr. P. D.
Suryawanshi

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**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 07th OCTOBER, 2021

PER COURT:

1. We have heard the learned Counsel for the petitioner and the respondent / Zilla Parishad.

2. According to the learned Counsel for the petitioner, the petitioner is entitled for transfer. His name appears in the list of the teachers to be transferred but the transfer order is not issued. The petitioner has to look after 85 years old mother.

3. It is submitted by the learned Counsel for the Zilla Parishad that there are excess secondary

teachers. Some of the secondary teachers are working on primary post. They will have to be considered first to be transferred on secondary post and if the post still remain vacant then the secondary teachers request for transfer would be considered.

4. The same appears to be tenor of the proceedings as annexed at page no. 93.

5. The proceedings for transfer of the secondary teachers is stayed. As and when the process would be undertaken for transfer of the secondary teachers the respondents shall consider the case of the petitioner for request transfer in accordance with the policy applicable.

6. Writ Petition accordingly stands disposed of.
No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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