

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

935 WRIT PETITION NO.2707 OF 2021

DHONDIBA RAMRAO RATHOD

..PETITIONER

VERSUS

STATE OF MAHARASHTRA AND OTHERS

..RESPONDENTS

AND

959 WRIT PETITION NO.2733 OF 2021

GANPAT DILIPRAO INDRAL

..PETITIONER

VERSUS

STATE OF MAHARASHTRA AND OTHERS

..RESPONDENTS

...

Mr. D. S. Mali, Advocate for the Petitioners.

Mrs. P. V. Diggikar and Mr. P. S. Patil, AGP for
Respondents-State in respective WP.

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

DATED : 11th FEBRUARY, 2021.

PER COURT:-

1. The proposals of petitioners seeking approval to the transfer from unaided to aided division are rejected basically on the basis of Circular dated 28.06.2016.

2. The learned A.G.P. accepts notice for respondent nos.1 to 3.

3. This Court under its judgment and order dated 04.07.2019 in Writ Petition No.1493/2018 with

connected writ petitions has observed that some of the Clauses of Circular dated 28.06.2016 do not apply.

4. In view of that, the impugned order is quashed and set aside.

5. The Education Officer shall reconsider the proposals seeking approval to the transfer of petitioners from unaided to aided division on its own merits in tune with the judgment dated 04.07.2019 in Writ Petition No.1493/2018 with connected writ petitions preferably within a period of six months.

6. Writ Petitions are disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE