

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13657 OF 2021

VARSHA LAHURAO SOLUNKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. N.B. Khandare
GP for Respondents: Mr. D.R. Kale
...

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 8th DECEMBER, 2021

PER COURT :-

1. Heard Mr. Khandare, learned Counsel for the Petitioners and the learned In-charge Government Pleader for Respondents No. 1 and 2.
2. The proposals seeking approvals to the transfers of the Petitioners from unaided to aided posts are approved by the Deputy Director of Education, but as *Shikshan Sevaks* from the date of their transfers to the aided posts.
3. It is submitted that while passing the impugned orders the services of the Petitioners rendered on unaided posts are not considered.
4. The Chart showing the date of appointments on unaided posts, the date of approvals to the appointments on unaided posts, the date of transfers to the aided posts are detailed as under -

Sr. No.	Name	Qualification	Date of Appointment (Unaided)	Name of the College	Date of Approval (Unaided)	Date of Transfer (Aided post)	Name of the College	Date of Approval (as Shikshan Sevak)
1	2	3	4	5	6	7	8	9
1	Varsha Lahurao Solunke	M.A. B.Ed.	01-07-2016	Deogiri Jr. College, Aurangabad	14-06-2017	26-09-2017	Deogiri Jr. College Aurangabad	22-11-2017
2	Mahesh Ravindra Narwade	M.Com. B.Ed.	01-07-2016	Vinayakrao Patil Jr.College Vaijapur	14-10-2016	26-09-2017	Deogiri Jr. College Aurangabad	22-11-2017
3	Pandurang Rambhau Solanke	M.A. B.Ed.	02-07-2016	New High School Gadana	14-10-2016	26-09-2017	Deogiri Jr. College Aurangabad	22-11-2017
4	Dipti Ashokrao Hajare	M.Sc. B.Ed.	02-07-2016	Shivchatrapati Jr. College Aurangabad	14-10-2016	20-08-2018	Deogiri Jr. College Aurangabad	22-11-2018
5	Vivek Nimbajirao Khanzode	M.Sc. B.Ed.	02-07-2016	R.B. Attal Jr. College Georai	14-10-2016	20-08-2018	Deogiri Jr. College Aurangabad	17-12-2019
6	Rajendra Karbhari Aher	M.Sc. B.Ed.	02-07-2016	Vinayakrao Patil Jr.College Vaijapur	14-10-2016	25-02-2019	Deogiri Jr. College Aurangabad	12-11-2020
7	Rohit Ramesh Patil	M.Com. B.Ed.	02-07-2016	Shivchatrapati Jr. College Aurangabad	16-07-2018	04-09-2019	Deogiri Jr. College Aurangabad	10-11-2020
8	Janhavi Jayawantrao Jadhav	M.Sc. B.Ed.	21-02-2018	Vinayakrao Patil Jr.College Vaijapur	01-08-2018	20-08-2018	Deogiri Jr. College Aurangabad	11-09-2018
9	Mahesh Abasaheb Modake	M.A. B.Ed.	22-02-2018	Shivchatrapati Jr. College Aurangabad	16-07-2018	09-09-2019	Deogiri Jr. College Aurangabad	10-11-2020
10	Amar Ganeshsingh Gour	M.A. B.Ed.	06-08-2018	New High School Karmad	18-12-2018	09-09-2019	Deogiri Jr. College Aurangabad	12-11-2020
11	Ujjwala Sahebrao Dhanvate	M.A. B.Ed.	06-08-2018	New High School Lasur Station	18-12-2018	09-09-2019	Deogiri Jr. College Aurangabad	19-11-2020
12	Angad Gangadhar Gavhane	M.Com. B.Ed.	06-08-2018	New High School Lasur Station	18-12-2018	09-09-2019	Deogiri Jr. College Aurangabad	17-12-2020

5. The approvals are granted as *Shikshan Sevaks* basically relying upon the Circular dated 28.06.2016. This Court under the Judgment and order dated 14.07.2019 in Writ Petition No. 1493 of 2018 with other connected writ petitions observed that some of the Clauses of Circular dated 28.06.2016 are erroneous.

6. If the services of the employees on unaided posts are less than 3 years then, for the remainder period the approval shall be granted as *Shikshan Sevaks* and upon completion of 3 years from the date of initial appointments on the unaided posts the Petitioners shall be granted approvals as Assistant Teachers.

7. The aforesaid exercise shall be done preferably, within a period of four (04) months.

8. We have passed the aforesaid order, as the Authorities have granted approvals to the transfers of the Petitioners on aided posts, meaning thereby, that the Authorities were convinced about the seniority, roster and the qualification of the Petitioners.

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

(S. G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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