

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4453 OF 2021

Pratibha Shivaji Deshmukh

..... Petitioner

VERSUS

The State of Maharashtra & Anr.

..... Respondents

Mr. Satish S. Raut for the Petitioner.

Mr. A.A.Alaspurkar, A.G.P. for the State – Respondent no.1.

Mrs. Manisha Jagtap for the Respondent no.3.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 9th SEPTEMBER, 2021

P.C:-

Learned counsel for the petitioner seeks liberty to delete the names of the respondent nos. 2 and 4. Leave to amend is granted. Amendment to be carried out forthwith. Re-verification is dispensed with.

2. Rule. Learned A.G.P. waives service for the respondent no.1. Learned counsel for the respondent no.3 waives service. By consent of parties, writ petition is heard finally at the admission stage.

3. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks writ of mandamus or the order and direction against the respondent no.3 to grant approval to the said transfer of the petitioner on aided division as an assistant teacher w.e.f. 21st January, 2014 and to release of grant-in-aid for payment of salary in the pay scale applicable to the said post of assistant teacher together with arrears from 21st January, 2014 onwards.

4. Learned counsel for the respondents states that the proposal for the approval of the petitioner for the transfer of the petitioner to the said post is still pending. She on instruction states that the said proposal dated 14th October, 2019 would be disposed of within six weeks from today. Statement is accepted.

5. A copy of the order that would be passed shall be conveyed to the petitioner within one week from the date of passing of such order.

6. If the approval to the said transfer of the petitioner to the aided division is granted by the respondent no.3, the consequential benefits shall be granted to the respondent no.3 within six weeks thereafter.

7. Writ petition is disposed of in the aforesaid terms. No order as to costs.

8. The parties to act on the authenticated copy of this order.

[ABHAY AHUJA, J.]

[R.D.DHANUKA, J.]