

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

**WRIT PETITION NO.5002 OF 2022**

Chaya w/o Ambadas Dhage,  
Age :- 39 yrs. Occu.- Service (Teacher),  
R/o :- At Post – Shahapur, Tq. Newasa,  
Dist – Ahmednagar ... **Petitioner**

Versus

1. The State of Maharashtra,  
Through its Secretary,  
General Administration Department,  
Mantralaya, Mumbai.
2. The Chief Executive Officer,  
Zilla Parishad Ahmednagar,  
District : Ahmednagar.
3. The Education Officer (Primary),  
Zilla Parishad, Ahmednagar,  
District : Ahmednagar. ... **Respondents**

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Advocate for Petitioner : Ms. Kavita S. Bhale.  
AGP for Respondent/s-State : Mr. S. K. Tambe.  
Advocate for Respondent Nos.2 and 3 : Ms. S. M. Zaware.

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**CORAM : R. D. DHANUKA, AND  
S. G. MEHARE, JJ.**

**DATE : 05.05.2022**

**ORAL JUDGMENT (PER R. D. DHANUKA, J.) :-**

1. Rule. Learned AGP waives service of notice for

respondent-State. Learned counsel waives service of notice for respondent Nos.2 and 3. Rule is made returnable forthwith and heard finally by the consent of the parties.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks a writ of Mandamus or any other appropriate writ against respondent Nos.2 and 3 to give the transfer order (posting) to the petitioner on the vacant post which is available with the 30 k.m. distance as per Government Resolution dated 28.05.2019 from Katrad, Taluka Rahuri, District Ahmednagar.

3. Learned counsel appearing for respondent Nos.2 and 3 states that various posts are lying vacant within the 30 km. distance as per Government Resolution dated 28.05.2019 and the petitioner can be accommodated on one of such vacant posts. Statement is accepted.

4. Respondent Nos.2 and 3 are accordingly directed to transfer the petitioner to one of those vacant posts within 30 k.m. distance as per Government Resolution dated 28.05.2019 within one (1) week from today.

5. Writ Petition is allowed in the aforesaid terms. Rule is made absolute accordingly. No order as to costs.
6. Parties to act upon the authenticated copy of this order.

(S. G. MEHARE, J.)

(R. D. DHANUKA, J.)

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vmk/-