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

1108 WRIT PETITION NO.6896 OF 2022

DILIP RAMDAS SHINDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS

WITH
WRIT PETITION NO.6897 OF 2022

MHASKE SACHIN SARJERAO AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH
SECRETARY AND OTHERS

WITH
WRIT PETITION NO.6898 OF 2022

BHAGWAT DNYANOBA PALMATE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

WITH
WRIT PETITION NO.6955 OF 2022

UDDHAV NAMDEO KENDRE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

WITH
1109 WRIT PETITION NO.6963 OF 2022

SUYOG UTTAMRAO GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

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WITH
1110 WRIT PETITION NO.7145 OF 2022

SHAIKH JILANI SHAKKARJI
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

WITH
WRIT PETITION NO.6962 OF 2022

MOHD. BABA MOHIUDDIN MOHD. HALIMUDDIN AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

WITH
WRIT PETITION NO.6965 OF 2022

NILESH BHASKARRAO SURYA
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

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Mr Balaji S. Shinde, Advocate for petitioners in WP
Nos.6896/2022, 6897/2022, 6898/2022 & 6955/2022
Mr S. B. Bhosale, Advocate for petitioners in WP Nos.7145/2022,
6963/2022, 6962/2022 & 6965/2022
Mr S. P. Tiwari, A.G.P. for respondents/State
Mr A. D. Aghav, Advocate for respondent Nos.3 and 4 in WP
Nos.6896/2022 and 6897/2022
Mr G. V. Mohekar, Advocate for respondent Nos.3 and 4 in WP
No.6898/2022
Mrs Yogita S. Thorat, Advocate for respondent Nos.3 & 4 in WP
No. 6955/2022
Mr R. R. Kale, Advocate h/f Mr S. S. Tope, Advocate for
respondent Nos.3 to 6 in WP No.7145/2022
Mr P. P. Dama, Advocate for respondent Nos.3 to 6 in WP
Nos.6963/2022 and 6965/2022
Mr S. B. Ghute, Advocate for respondent Nos.3 to 8 in WP
No.6962/2022

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**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : 12th July, 2022

PER COURT:

1. In all these matters, the learned Advocates for the petitioners pray that their representations seeking intra-district transfers in accordance with the Government Resolution dated 07/04/2021 are pending. Categorical statements are made in each of these petitions, that such representations are pending and the Zilla Parishad is not considering the same.

2. The learned Advocates representing the Zilla Parishads, vehemently submit that a Co-ordinate Bench of this Court has earlier passed an order on 21/04/2022 in Writ Petition No.102/2020, filed by Satish Shahadeo Gawade and others Vs. State of Maharashtra and others and connected matters, and their representation which was pending, was directed to be considered in the light of Clause 4.5.1 of the Government Resolution dated 07/04/2021. Subsequently, a similar order was passed on 01/07/2022 in Writ Petition No.6391/2022, filed by Ashok Kisanrao Dolas and others Vs. State of Maharashtra and others.

3. The learned Advocates for petitioners submit, that the cut-off dated for entertaining online applications/representations was 10/07/2022. A Circular has been issued on 28/02/2017 by the Law and Judiciary Department, Government of Maharashtra, in the light of the order dated 14/12/2016, delivered by the learned Maharashtra Administrative Tribunal, Mumbai in O.A. Nos.59/2016, 61/2016 and 90/2016, wherein it has been held by placing reliance upon **State of Uttar Pradesh and others Vs. Arvind Kumar Srivastava 2015 (1) SCC 347**, that when a Tribunal or a Court passes an order in relation to certain grievances of employees, and if such orders would be applicable to all similarly situated employees, whether they approach the Court/Tribunal or not, the directions or orders issued, would be made applicable to all of them. The normal rule would be, that such other employees need not approach the Court for seeking the same relief, when they are identically placed. This Circular is issued by the Chief Secretary of the Government of Maharashtra.

4. In the cases before us, it is apparent that the intra-district transfers are to be considered in the light of the Government Resolution dated 07/04/2021. Once the two Benches of this Court

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have issued the orders in identically situated group of matters, such Zilla Parishads are duty bound to comply with such directions and initiate steps in accordance with the Government Resolution dated 07/04/2021. The Zilla Parishads need not compel every employee to approach this Court and repeatedly seek the same reliefs. As a large number of employees have been treated alike by this Court, the Zilla Parishads should consider cases of all identically placed employees, whether some of them have approached this Court or not.

5. In the light of the above, these petitions are disposed off, with a direction to the Zilla Parishads, to consider the cases of these petitioners in the light of their representations, if such representations have not yet been decided and are still pending. We clarify that, if representations have already been responded to, by the Zilla Parishads, repeated representation need not be considered repeatedly. As such, those representations of these petitioners, which have been filed for the first time and no other representations were filed by them earlier, the Zilla Parishads would rely on the Government Resolution dated 07/04/2021 and initiate appropriate steps for preparation of the seniority list of all such similarly situated employees.

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6. It would be in the interest of the petitioners that, such decision of the Zilla Parishad is taken expeditiously.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)

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