

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9185 OF 2022

DEEPAK SHIVRAJAPPA GADHAVE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Ms.Pratiksha C.Kale h/f Mr.Suvidh S.Kulkarni, Advocate for the
petitioners.

Mr.S.G.Sangle, AGP for the respondent/State.

Mr.S.B.Pulkundwar, Advocate for respondent Nos. 3 and 4.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : SEPTEMBER 12, 2022

PER COURT :

1. The petitioners have put forth prayer clause B, C and D as
under :-

*"B. That this Hon'ble Court may please to pass necessary writ, order or
direction in like nature and direct the respondent No.3 and 4 to add the
schools of the petitioners (Exhibit-H) and declared them as Difficult
School/Area as they have fulfilled 3 conditions out of 7 in view of
schedule appended to the Govt.Resolution dated 07.04.2021.*

*C. That this Hon'ble Court may please to pass necessary writ, order or
direction in like nature and direct the respondent No.3 to allow the
petitioners to fill up the forms in annual general transfer as they have
already completed three years of service in difficult area as*

contemplated under the Govt. Resolution dated 27.02.2017.

D. That this Hon'ble Court may please to pass necessary writ, order or direction in like nature and direct the respondent Nos. 2 and 3 to decide the representation / application dated 17.05.2021 and to take on record the documents placed by them as expeditiously as possible preferably within 1 week."

2. The learned Advocate representing the Zilla Parishad submits on instructions that the view taken by this Court vide order dated 18.04.2022 passed in WP No.6692/2021 filed by **Ramesh Bankar and others Vs. State of Maharashtra and others**, can be made applicable. It is contended that if the petitioners make their applications as per the rules for transfer to a General School area in pursuance of the GR dated 07.04.2021, their request would be considered in the general transfers effected in 2022, on or before 30.09.2022. He further adds that these petitioners can make online applications within one week/as per the schedule applicable to the General Transfers in the academic year of 2022.

3. In the light of the above statement made, the petitioners are satisfied. This petition is disposed off as such.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)