

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

**WRIT PETITION NO.13887 OF 2018
WITH
CIVIL APPLICATION NO.1285 OF 2020
IN WP/13887/2018**

**ANNASAHEB KASHINATH GAWADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for the Petitioners/ Applicants : Shri Munde Sambhaji
G.

AGP for the Respondents/State : Ms.Rashmi P. Gaur
Advocate for Respondent 9 : Shri A.A. Jagatkar

...
**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 11th November, 2022

Per Court :-

1. For the last four years, the petitioners' applications for inter-district transfer as in 2018, have not been dealt with and they desire that these applications, after four years, be considered.

2. The learned advocate appearing on behalf of the respondent/Zilla Parishad submits that inter-district and intra-district transfers are considered on the basis of vacancies available in that academic year. If there are no vacancies, the claim of the petitioners cannot be considered.

3. The learned advocate for the petitioners submits that the petitioners will file fresh online applications strictly as per the applicable Government Resolutions and if there are vacancies, the claims of the petitioners should be considered in that academic year/transfer period when such applications for similarly situated applicants is being considered.

4. The learned advocate for the Zilla Parishad, therefore, submits that if such applications are filed, the Zilla Parishad would consider them along with the identically placed employees, in the light of the vacancies as well as the applicable policies and take a decision on the applications, on their own merits.

5. We find it appropriate to record that if there are no vacancies after filing of the online applications, the case of the petitioners may be considered as and when there would be vacancies.

6. In view of the above, this Writ Petition is disposed off. Consequentially, the Civil Application would not survive and stands disposed off.