

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14477 OF 2021

VANITA POPAT GIDAGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. B.S. Shinde
AGP for Respondent Nos. 1 & 2 : Mr. P.S. Patil
Advocate for Respondent Nos. 3 & 4 : Mr. A.D. Aghav

**CORAM : C.V. BHADANG &
SANDIPKUMAR C. MORE, JJ.**

DATE : 27 JUNE, 2022.

ORDER :-

The petitioner is seeking transfer on the basis of the policy of couple convenience. The representation made by the petitioner has been turned down by the Education Officer, Primary, Zilla Parishad, Ahmednagar, as per the communication dated 24 November, 2021, which is tendered across the bar by learned AGP, which is marked "X" for identification.

2. The learned counsel for the petitioner has, however, brought to our notice the order passed by the Division Bench of this Court on 20 October, 2021 in a batch of writ petitions in Writ Petition No. 11475 of 2021 and others as well as the order dated 4 January, 2022, in Writ Petition No. 14676 of 2021 in order to submit

that the Chief Executive Officer is clothed with the powers to decide the representation and it is for the Chief Executive Officer of the Zilla Parishad, who is to consider the representation and decide it.

3. The learned counsel for respondent Nos. 3 and 4 in such circumstances submits that this Court may pass appropriate orders.

4. In that view of the matter, the petition is allowed. The representation dated 1 November, 2021, filed by the petitioner shall be decided by the Chief Executive Officer on its own merits and in accordance with law and the applicable policy of couple convenience expeditiously and preferably within a period of four weeks from today.

5. Petition is disposed of with no orders as to costs.

SANDIPKUMAR C. MORE, J.

C.V. BHADANG, J.

grt/-