

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

WRIT PETITION NO. 14816 OF 2021

Shetkari Shikshan Prasarak Mandal
Ashti Through its Secretary
Bhimrao Anandrao Dhonde .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

AND

WRIT PETITION NO. 14817 OF 2021

Shetkari Shikshan Prasarak Mandal
Ashti Through its Secretary
Bhimrao Anandrao Dhonde .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

AND

WRIT PETITION NO. 14818 OF 2021

Shetkari Shikshan Prasarak Mandal
Ashti Through its Secretary
Bhimrao Anandrao Dhonde .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri S. S. Thombre, Advocate for the Petitioner in all matters.
Mrs. V. N. Jadhav Patil, A.G.P. for the Respondent Nos. 1 and 2
in all matters.

**CORAM : MANGESH S. PATIL AND
SANDEEP V. MARNE, JJ.
DATE : 06.10.2022.**

FINAL ORDER :

. Heard both sides finally. All these petitions raise a common issue regarding refusal to grant approval to transfers of the employees of the petitioners' under Rule 41 of the Maharashtra Employees of Private Schools (Condition of Service) Regulation Rules, 1981 (for short MEPS Rules) from unaided division to the aided divisions.

2. The learned A. G. P. submit that the earlier decisions were taken by taking into account the availability of surplus teachers at that time and there is likelihood of some posts being available now. She submits that the Education Officer would consider it if the petitioners approach him.

3. Taking into account the fact that these petitions have been filed post insertion of Rule 41A in the MEPS Rules, which according to us comes out with various reasons and grounds to be considered by the Education Officer while granting approval to the transfers, it would be appropriate that the petitioners are relegated before the Education Officer and the latter is directed to consider it by taking into consideration all the aspects.

4. We therefore, dispose of the writ petitions by directing the petitioners to approach the Education Officer, whereupon the

Education Officer (Secondary) shall consider their proposals afresh within a period of eight (08) weeks from today.

[SANDEEP V. MARNE, J.]

[MANGESH S. PATIL, J.]

bsb/Oct. 22