

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5693 OF 2021

Satish S/o. Dhnyaneshwar Tayde -vs- The State of Maharashtra, thr. its Secretary, Education
Dept., Mantralaya, Mumbai & Ors.

WITH

WRIT PETITION NO. 657 OF 2022

Sandeep S/o. Ganeshrao Kavitar -vs- The State of Maharashtra, thr. its Secretary, Education
Dept., Mantralaya, Mumbai & Ors.

WITH

WRIT PETITION NO. 3985 OF 2021

Gajanan Dadarao Korde -vs- The State of Maharashtra, thr. its Secretary, Education Dept.,
Mantralaya, Mumbai & Ors.

WITH

WRIT PETITION NO. 5390 OF 2021

Kailash S/o. Manikrao Punse -vs- The State of Maharashtra, thr. its Secretary, Education Dept.,
Mantralaya, Mumbai & Ors.

WITH

WRIT PETITION NO. 5597 OF 2021

Dinesh S/o. Rameshrao Hend -vs- The State of Maharashtra, thr. its Secretary, Education Dept.,
Mantralaya, Mumbai & Ors.

WITH

WRIT PETITION NO. 3980 OF 2021

Smt. Sunita S/o. Pandurang Sakhe -vs- The State of Maharashtra, thr. its Secretary, Education
Dept., Mantralaya, Mumbai & Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr S. S. Dhengale, Counsel for petitioners in all writ petitions
Ms S. S. Jachak, AGP for respondent Nos. 1 & 4
Mr S. S. Shinde, Counsel for respondent Nos. 2 and 3 in WP No. 5390 of 2021

CORAM : A. S. CHANDURKAR AND G. A. SANAP, JJ.

DATE : 21.02.2022

The petitioners are serving as 'Assistant Teacher' at various Schools run by Zilla Parishad, Amravati. Pursuant to the transfer policy that was prevailing in the year 2019 they had submitted their options for being transferred at a place other than hilly and difficult area. Since such order of transfer favourable to the petitioners had not been passed, they approached the Divisional Commissioner raising a grievance.

The Divisional Commissioner partly allowed the appeal and directed the Chief Executive Officer to take a decision in accordance with the prevailing policy. The Chief Executive Officer, thereafter, on 01.10.2020 informed the petitioners that in the coming year they could apply for such transfer by making online application and the decision would be taken thereon. This order is in challenge in all the writ petitions.

2] After hearing learned counsel for the parties it is seen that the order impugned has been passed on 01.10.2020. With the passage of time the policy that was initially prevailing is likely to have undergone some change. The fresh process of transfer is likely to commence in April-2022.

3] In this backdrop, the interest of justice would be served by permitting the petitioners to make a fresh application for transfer in accordance with the policy prevailing on the date of such application. If any application is so made by the petitioners, the same shall be considered in accordance with law and in the light of the relevant policy

With this direction, the writ petitions are disposed of with no order as to costs.

(G. A. SANAP, J.)

(A. S. CHANDURKAR, J.)

Namrata