

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

**WRIT PETITION 3653 OF 2021**

(Shri Sharif Abdulla Pathan and anr..vs.. The State, thr its Chief Secretary, School  
Education Department, Mantralaya, Mumbai and ors)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Mr. A.Z. Jibhkate, counsel for petitioners.  
Mr. N.S. Rao, AGP for respondent 1/State.

**CORAM: ROHIT B. DEO AND ANIL L. PANSARE, JJ.**

**DATE: 20.08.2022**

The learned counsel Mr. A.Z.Jibhkate seeks leave to  
delete respondents 4,5,6 and 7.

2. Leave is granted.
3. Respondents 4,5,6 and 7 be deleted from the cause  
title.
4. The prayer clause in the petition reads thus:  
  
(i) Quash and set aside the transfer of Respondent  
Nos. 4 to 7 i.e. Shri Prashant Jagannath  
Meshram, Shri Prashant Marotrao Lambat, Shri  
Ravindra Mahadeorao Bawankule and Smt.  
Jyotsna Bhojraj Nikhade which are the part of  
impugned transfer order dated 30.8.2021  
(Annexure No.4), by a suitable and appropriate  
writ or directions.

(ii) By interim writ or direction kindly restrain

the Respondent Nos. 1 and 2 i.e. State of Maharashtra through its Chief Secretary, School Education Department and Director of State Project, Maharashtra Prathamik Shikshan Parishad from giving effect to the part of the impugned order dated 30.8.2021 (Annexure No. 4) only pertaining to the Respondent Nos. 4 to 7 i.e. Shri Prashant Jagannath Meshram, Shri Prashant Marotrao Lambat, Shri Ravindra Mahadeorao Bawankule and Smt. Jyotsna Bhojraj Nikhade, during the pendency of the present petition.

(iii) Any other suitable and appropriate interim as well as final relief which may deem fit and proper in the facts and circumstances of the present case may kindly be passed in favour of the Petitioners and against the Respondents, in the interest of justice and kindly allow the petition.

5. Since respondents 4,5,6, and 7 are deleted, the prayers cannot be entertained.

6. The petition is dismissed.

7. We make it clear that without assailing the transfer orders issued in favour of others, if independently, the petitioners are entitled to be transferred in accordance with the extant policy, the petitioners are at liberty to institute separate and substantive proceedings.

8. The dismissal of this petition shall not prejudice the petitioners.

(ANIL L. PANSARE, J.)

(ROHIT B. DEO, J.)

Belkhede