

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION (WP) NO. 6270/2019

1. Anita Sudhir Chopde
Age @ 43 yrs., Occ – Service,
R/o. Shridarshan Colony,
Near Ghanshyam Colony, Saturna,
Amravati. Tq. & Dist. Amravati. PETITIONER

// VERSUS //

1. The Director, Maharashtra Prathamik
Shikshan Parishad (Government
of Maharashtra undertaking), Mumbai.
2. The Zilla Parishad Amravati,
Through its C.E.O. Amravati Dist.
Amravati.
3. The Zilla Parishad, Akola
Through its C.E.O. Akola, Dist. Akola. RESPONDENT(S)

Shri S.M. Vaishnav, Advocate for the petitioner
None for respondent nos. 1 and 3
Shri J.B. Kasat, Advocate for respondent no. 2

**CORAM : A. S. CHANDURKAR AND
SMT. M.S. JAWALKAR, J.J.**

DATED : 27/01/2022

ORAL JUDGMENT : (PER:- A. S. CHANDURKAR, J.)

Rule. Rule made returnable forthwith. Heard the learned counsel for the parties in view of the limited grievance raised by the petitioner.

2 The petitioner is presently serving as Resource Person with Zilla Parishad, Akola. She seeks her transfer within the jurisdiction of Zilla Parishad, Amravati and had made a request in that regard. That request not having been accepted, the petitioner has approached this Court. During pendency of the writ petition, the petitioner has filed Civil Application (CAW) No. 187/2022 in which it has been stated that on account of demise of one Shri Subhash Firke on 28.12.2021, a post of Resource Person is vacant within a jurisdiction of Zilla Parishad, Amravati. Request in that regard has been made to the Chief Executive Officer, Zilla Parishad, Amravati on 03.01.2022.

3. Shri J.B. Kasat, learned Counsel for respondent no. 2, submits that since the petitioner seeks her posting from Zilla Parishad, Akola to Zilla Parishad, Amravati, the respondent no. 1 - The Director, Maharashtra Prathamik Shikshan Parishad, Mumbai would be the competent authority to approve such transfer. The learned Counsel, on instructions, further submits that one post of Resource Person at Zilla Parishad, Amravati is vacant.

4. In that view of the matter, the following order is passed:-

(i) The petitioner is at liberty to make a fresh representation to respondent no. 1 within a period of three weeks from today indicating availability of vacant post at

Zilla Parishad, Amravati for her accommodation.

(ii) The petitioner alongwith her representation shall supply a copy of this order to respondent no. 1.

(iii) If such request is made to respondent no. 1 a decision thereon shall be taken within a period of four weeks from the receipt of such request.

(iv) Respondent nos. 2 to 3 shall assist the respondent no. 1 taking appropriate decision by furnishing requisite information in that regard.

(v) Decision shall be taken in accordance with law and same shall be communicated to the petitioner.

5. With these directions, the writ petition is disposed of. No costs.

6. Civil Application (CAW) No. 187/2022 is also disposed of.

JUDGE

JUDGE

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