

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

WRIT PETITION NO.4952 OF 2021

Totaram s/o Sirpat Shende,
Aged about 44 years,
Occupation-Service,
R/o. Soni, Tah. Goregaon,
District-Gondia.

.. Petitioner

.. Versus ..

- 1] State of Maharashtra,
Through its Secretary Junior
College Education & Sports
Department, Mantralaya,
Mumbai.
- 2] Deputy Director of Education,
Nagpur Division, Nagpur.
- 3] Shri Chakradhar Bahu-uddheshiya
Shikshan Va Vikas Sanstha, Gondia,
Through its Secretary,
R/o. Ganesh Nagar, Gondia,
Tah. and District-Gondia.
- 4] Manibhai Ishwarbhai Patel Junior
College, Soni, Through its Principal,
At & Post-Soni, Tah. Goregaon,
District-Gondia.

.. Respondents

Shri I.N. Choudhari, Advocate for the petitioner
Shri N.S. Rao, Assistant Govt. Pleader for respondent nos.1 and 2-State,
None for respondent nos.3 and 4 though served.

**CORAM : SUNIL B. SHUKRE AND
SMT. M.S. JAWALKAR, JJ.**

DATED : 18.04.2022.

ORAL JUDGMENT : (Per : Sunil B. Shukre, J.)

Heard. **Rule.** Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.

2. The issue involved in this petition regarding permissibility of transfer of school employee from unaided post to aided post is squarely covered by the view taken by this Court in the case of **Sandip s/o Dilip Thorat .vs. The State of Maharashtra and others, 2022 (1) ALL MR 322** wherein it is held that such transfer is permissible in law. Therefore, this petition deserves to be allowed and it is allowed in terms of prayer clauses (i) and (ii).

3. Rule is made absolute in above terms. No costs.

(SMT. M.S. JAWALKAR, J.) (SUNIL B. SHUKRE, J.)

Gulande