

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

**12 WRIT PETITION NO.1497 OF 2023**

**BALAJI VAIJNATH NAGARGOJE AND ANOTHER  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH  
PRINCIPAL SECRETARY AND OTHERS**

...  
Advocate for Petitioners : Mr. Biradar Ramrao Dhondiram  
AGP for Respondents/State : Mr. P.S. Patil  
Advocate for R/3 & 4: Mr. U.B. Bondar  
...

**CORAM : RAVINDRA V. GHUGE &  
SANJAY A. DESHMUKH, JJ.  
DATE : 13<sup>th</sup> February, 2023**

**PC. :-**

1. Leave to delete respondent no.5. Deletion be carried out forthwith.
2. The petitioners are a married couple, though the wife uses her maiden surname. She has undergone a “Mitral valve” surgery and her husband accompanies her whenever she requires treatment in the hospital at Latur or at Mumbai.
3. Since the petitioner no.2 was due for transfer and both are presently working at the Zilla Parishad Primary School at Kolgaon, Taluka Renapur, the petitioners apprehend that she would be transferred elsewhere

and the husband would not be transferred since he is not due for transfer. Her name is shown in the provisional list for transfers.

4. The learned advocate for the petitioner submits that a representation dated 12.01.2023 requesting for considering the petitioner no.2 for cancellation of transfer, is said to be pending. The learned advocate representing the respondent nos.3 - 4 / Zilla Parishad, submits on instructions that the representation can be considered on its own merits. The request of the petitioners is that the representation be dealt with in the light of the GR dated 07.04.2021.

5. In view of the above, this petition is disposed off. We expect the Zilla Praishad to consider the representation of petitioner no.2 in the peculiar facts of this case, in the light of the GR dated 07.04.2021, on or before 31.03.2023.

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]