

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

60 WRIT PETITION NO.3958 OF 2023

GAJANAN RAMRAV KADAM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
66 WRIT PETITION NO.3966 OF 2023

REKHA SAHEBRAO SHELKE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....

Mr.S.K. Mathpati, Advocate for the Petitioners.

Mr.S.G. Karlekar, AGP for Respondent/State.

Mrs. Yogita S. Thorat, Advocate for Respondent Nos.4 & 5 in WP
No.3958/2023

Mr. S.B. Ghute, Advocate for Respondent Nos.4 and 5 in WP
No.3966/2023.

.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 10th APRIL, 2023.**

PER COURT :-

1. The Petitioners in these petitions have approached this Court under the category of couple convenience transfer which falls in part-2. Their grievance is that each of them have few days short of completing three years for being considered for transfer. They all pertain to the special category no.2 which is meant for couple convenience. By circular dated 21.02.2019, the Government of Maharashtra has declared that the condition of completing three years at one location would not apply to the special category part-1 and part-2.

2. The learned Advocate for the Petitioners further submits that these petitioners cannot make online application for seeking transfer on account of couple convenience since the online form does not accept a candidate who has not completed three years. Per contra, circular dated 21.02.2019 lifts the said restrictions. However, necessary software changes in the online form portal, have not been made.

3. In view of the above, these petitions are disposed off by permitting these petitioners to pursue their representations dated 21.11.2022 and 28.11.2022, made by all of them, independently for considering their transfers as they fall in the special category part-2. The Chief Executive Officer, Zilla Parishad would consider such representations on their own merits and by taking into account available vacancies.

4. Before parting with these matters, we deem it appropriate to note that if certain software changes have to be carried out in the online portal, as per the government resolutions/circulars, to enable such candidates to lodge their applications, the Chief Executive Officer, Zilla Parishad would convey to the Government of Maharashtra to make such changes at the earliest.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)