

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

180 WRIT PETITION NO.4761 OF 2023

SUNIL SUDHAKAR JOSHI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. G.K. Kshirsagar, Advocate for the Petitioners
Mr.P.S. Patil, AGP for the Respondent/State.
Mr.U.B. Bondar, Advocate for Respondent No.2.

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 26th APRIL, 2023.**

PER COURT :-

1. We have heard the learned Advocates for the respective sides and Shri Bondar, the learned Advocate, who is on the panel of Zilla Parishad and who appeared in this case on the request of the Court.

2. In this petition, all the petitioners claim to be 53+. The Government Resolution dated 07.04.2021 prohibits male teachers, who are 53+, from being transferred to the tribal, remote, very remote and difficult areas.

3. On these premises, this petition deserves to be allowed. However, the learned Advocate representing the Zilla Parishad, submits that since a special committee has been formed by each of

the Zilla Parishads to look into the grievances of such Petitioners, the claim of all these Petitioners would be considered and a decision would be arrived at, on or before 10.05.2023.

4. In view of the above, though we were about to allow the petition, at the request of the learned Advocate for the Zilla Parishad, **this petition is disposed off** with directions to the Zilla Parishad to initiate remedial steps to ensure that the lady teachers, covered by the Government Resolution dated 15.02.2018 and the male teachers who are covered by the Government Resolution dated 07.04.2021, would not be transferred to the hilly region. In case of male teachers, the Zilla Parishad would enter into an age verification exercise to find out as to whether any of the teachers were less than 53, on the date of the issuance of the transfer orders. This exercise shall be completed on or before 10.05.2023.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

sga/