

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

WRIT PETITION NO.4930 OF 2023

**RAMCHANDRA BAPURAO RAJAPURE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

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Advocate for the Petitioners : Shri Khedkar Avinash S. a/w Shri
Shelke Vasant N.

AGP for Respondent 1/State : Shri S.K. Tambe

Advocate for Respondents 2 and 3 : Shri A.D. Aghav

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 27th April, 2023

Per Court :-

1. Insofar as Petitioner No.1 (Ramchandra Rajapure) is concerned, he is not 53 years of age on the date of issuance of transfer order. Therefore, considering the Government Resolution dated 07.04.2021, **this Writ Petition stands dismissed** to his extent with liberty to apply for transfer after completing 53 years of age, in the academic year 2024-2025, is granted.

2. Insofar as Petitioner No.2 (Innus Sayyad) is concerned, he is covered by the Government Resolution dated 07.04.2021, which prohibits the transfer of a male Assistant

Teacher, who is 53 years plus to the difficult area.

3. Considering the above, **this Writ Petition to the extent of Petitioner No.2 is disposed off** with the direction to the Zilla Parishad to reconsider his case by, verifying as to whether, Petitioner No.2 is 53 years plus. Only then, appropriate orders may be issued.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)