

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

WRIT PETITION NO.4936 OF 2023

**PRADIP RAMESH KHAIRNAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND ANOTHER**

...

Advocate for the Petitioners : Shri Kshirsagar Gajanan K.
AGP for Respondent 1/State : Shri S.P. Tiwari
Advocate for Respondent 2 : Shri Maheshkumar S. Sonawane

...

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

DATE :- 27th April, 2023

Per Court :-

1. The Petitioners seek transfer on the basis of the couple convenience policy by which, the Petitioners will have to be posted within 30 kilometers of the place where the spouse works.

2. There is no dispute that the Government Circular dated 21.02.2019 permits the Petitioners to avail of the benefit of couple convenience for the first time irrespective of the period they have been working at any place. The condition of working for three years at a particular place would apply if such candidate

has taken benefit of couple convenience within the earlier three years. Once a posting is allowed to the applicant on the basis of couple convenience, the said applicant or beneficiary cannot seek transfer on the same ground within three years.

3. The Petitioners' representations dated 21.11.2022 are pending with the Zilla Parishad.

4. Since Shri Sonawane, the learned Advocate is on the panel of the Zilla Parishad, Jalgaon, we requested him to assist the Court and, therefore, he has appeared in the matter.

5. Shri Sonawane submits that the representations would be decided on its merits.

6. In view of the above, **this Writ Petition is disposed off.**

7. The Zilla Parishad would decide the representations of the Petitioners within thirty days, in the light of the Government Circular dated 21.02.2019 and the Government Resolution dated 07.04.2021.

kps

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)