

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4935 OF 2023

VIDHYA YUVRAJ BEDISKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND ANOTHER

...
Advocate for the Petitioner : Shri Kshirsagar Gajanan K.
AGP for Respondent 1/State : Shri V.M. Kagne
Advocate for Respondent 2 : Shri Ujwal S. Patil

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

DATE :- 27th April, 2023

Per Court :-

1. The Petitioner is a lady Assistant Teacher. There is no dispute that she is protected by the Government Resolution dated 15.02.2018 which prohibits transfer of lady teachers to the remote, extreme remote and difficult areas.

2. Vide our order dated 21.04.2023 in a group of matters in Writ Petition No.3995/2023 (*Vaishali Sharad Ghuge and others vs. The State of Maharashtra and others*), we have held in paragraphs 4, 5 and 6 as under:-

“4. On these premises, all these Petitions deserve to be allowed. However, the learned advocates representing the respective Zilla Parishads, submit 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.

5. *In view of the above, though we were about to allow these Petitions, at the request of the learned advocates for the Zilla Parishads, these Petitions are disposed off with directions to the respective Zilla Parishads 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 7.4.2021, would not be transferred to the hilly region. In case of male teachers, the respective Zilla Parishads 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.*
6. *In the event any application/representation has not been filed by any of these Petitioners, their Petitions may be treated as their applications.”*

3. In view of the above, **this Writ Petition is disposed off** with a direction to the Zilla Parishad to consider the representation of the Petitioner strictly in accordance with the Government Resolution dated 15.02.2018 and complete the exercise of correcting the transfer order within a period of 15 days.