

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

910 WRIT PETITION NO. 4939 OF 2023

SMT. CHHAYA LAXMANRAO KULKARNI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
ANOTHER

...

Advocate for Petitioners : Mr. Gajanan K. Kshirsagar
Advocate for Respondent/State : Mr. V. M. Kagne
Advocate for respondent no. 2 : Mr. U. B. Bondar

...

AND

920 WRIT PETITION NO.5062 OF 2023

USHA NURJI VALVI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

...

Advocate for Petitioners : Shinde Balaji S.
AGP for Respondent Nos. 2, 3 and 4: P. S. Patil

...

AND

925 WRIT PETITION NO.5080 OF 2023

SULOCHANA ATMARAM PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

...

Advocate for Petitioner : Shinde Balaji S.
AGP for Respondent/State : S. K. Tambe
Advocate for respondent nos. 3 and 4 : Mr. U. S. Patil

...

AND

938 WRIT PETITION NO.5048 OF 2023

FARJANA ISMAIL SAYYAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Advocate for Petitioner : Mr. Avinash S. Khedkar
AGP for Respondent/State : Mr. S. P. Tiwari
Advocate for Respondent Nos. 2 and 3 : Mr. A. D. Aghav

...

AND

WRIT PETITION NO. 5115 OF 2023

SMT. CHHAYA ASARAM DAMAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. K. J. Ghute Patil
AGP for Respondent/State : Mr. S. P. Tiwari
Advocate for Respondent Nos. 2 and 3 : Mr. A. D. Aghav

...

AND

WRIT PETITION NO. 5146 OF 2023

SMT. SANGEETA BABURAO DAFNE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. V. G. Salgare
AGP for Respondent/State : Mr. S. P. Tiwari
Advocate for Respondent Nos. 3 and 4 : Mr. S. R. Dheple

...

AND

WRIT PETITION NO. 5149 OF 2023

VARSHA GANPATRAO SEVLIKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. V. G. Salgare
AGP for Respondent/State : Mr. S. K. Tambe
Advocate for Respondent Nos. 3 and 4 : Mr. S. R. Dheple

...

AND

WRIT PETITION NO. 5150 OF 2023

MEENA VITTHALRAO DHAGE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. V. G. Salgare
AGP for Respondent/State : Mr. P. S. Patil
Advocate for Respondent Nos. 3 and 4 : Mr. S. R. Dheple

...

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

DATED : 02nd MAY 2023

PER COURT : -

1. Leave to correct the name of petitioner no. 2 in Writ Petition No. 5115 of 2023.

2. In all these petitions, the petitioners are lady teachers who claim protection of the Government Resolution dated 11th February, 2018. It is contended that the State Government has taken a policy decision not to transfer lady teachers to the hilly, difficult, far-flung areas which would be defined as 'difficult areas'. The entire transfer policy is now being implemented through the "Teacher Transfer Management System" module. It is further contended that the software/module used for the same is unaware of the Government Resolution dated 15th February, 2018. Similarly, the Government Resolution dated 07th April, 2021 does not permit transfer of male teachers, who are 53+ on the cut off date, which is considered for transferring such teachers.

3. The learned advocates representing the Zilla Parishad submits, on instructions, that the respective Zilla Parishads are taking guidance from the State Government and only after obtaining guidance as regards the lady teachers and those male teachers who are 53+ as on the cut off date, a decision would be taken by the Zilla Parishad with regard to the aggrieved teachers.

4. In view of the above and keeping in view the several orders passed by this court earlier, **these petitions are disposed off.**

5. Needless to state, that the grievance of these petitioners shall be redressed in accordance with the Government Resolutions applicable. Let such decision be arrived at by the respective Zilla Parishads upto 05th June, 2023. Until then, the lady teachers and those male teachers who are 53+ on the cut off date, who have been transferred to difficult areas, would not be relieved.

[SANJAY A. DESHMUKH]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE