

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

WRIT PETITION NO. 6425 OF 2023

Gajanan s/o Baburao Kadam

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. Krishna P. Rodge – Advocate for the petitioner

Mr. A. A. Jagatkar – AGP for respondent/State

.....

CORAM : MANGESH S. PATIL

AND

S. G. CHAPALGAONKAR, JJ.

DATED : 16.06.2023

PER COURT : -

. Heard learned advocate for the petitioner as also the learned AGP for respondent nos. 1 to 3.

2. The petitioner, who has been transferred from unaided division to aided division, is seeking approval to his such transfer. The respondent no. 5 seems to have forwarded a proposal dated 09 January 2023 to the respondent no. 3 – Education Officer, which is still undecided.

3. The learned advocate for the petitioner on instructions submits that he has been orally informed that the Education Officer is not ready to grant approval because of the circular issued by the SGP

Department of School Education dated 01 December 2022.

4. Though the respondent no. 3 – Education Officer is still to take a decision, we just intend to remind him that the Division Bench of this Court at Nagpur Bench in the matter of **Friends Social Circle, Akola through its Secretary, Mohd. Farooque Gulam Gaus and Others .Vs. The State of Maharashtra through its Secretary, Education and Sports Department, Mumbai and another** [Writ Petition No. 8215 of 2022], by an order dated 21 December 2022 and the subsequent decisions has consistently held that the operation of the Circular dated 01 December 2022 stands stayed.

5. We dispose of the writ petition by directing the respondent no. 3 – Education Officer (Secondary), Zilla Parishad, Nanded, to take appropriate decision on the proposal for approval received from the School dated 09 January 2023 [Exh. 'C'] as expeditiously as possible and in any case within six weeks, in accordance with the decisions of this court and the Government policy.

[S. G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE