

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

WRIT PETITION NO. 7132 OF 2023

**VYANKANT MANOHAR GITE
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND
OTHERS**

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Advocate for Petitioner : Mr. Sontakke S.B.

AGP for Respondent No. 1 and 2/State : Mr. S. K. Tambe

Advocate for Respondent No.3 and 4 : Mr. V.C. Patil h/f Mr. U. B. Bondar

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 28 JUNE 2023.

PER COURT :

. Heard the learned Advocate for the petitioner, learned AGP and learned Advocate for respondent no.3 and 4/Zilla Parishad, Latur.

2. The petitioner who has been working in the Zilla Parishad, Primary School, Dhansaragaon Tanda, Tq. Renapur, Dist. Latur, is aggrieved by the teachers' transfer order passed in common. The learned Advocate submits that the petitioner was in fact not due for transfer, the data that was fed into the system indicated his incorrect

date of joining on current posting. He had made representations, but those were not considered and the transfer order was passed.

3. The learned Advocate for respondent no.3 and 4 on instructions submits that the respondents would consider the petitioner's representation on its own merits.

4. Taking into account the fact that this data stated to be incorrect was published in the month of November 2022 and the petitioner has put up the first grievance in January 2023 and still waited for the impugned order of transfer. Apparently he took chances.

5. Be that as it may, we dispose of the writ petition by directing the respondent no.3 and 4 to consider the petitioner's grievance on its own merits uninfluenced by the observations made herein above. However, this direction is subject to the petitioner joining the place of posting. It is only after he joins the place of posting that the respondents would be enjoined to consider the representation.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]