

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

947 WRIT PETITION NO. 9450 OF 2023

SUBHASHCHANDRA BALIRAM MALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Patil Kalyan V.
AGP for Respondents : Mr. S.K. Tambe
...

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

DATE : 02 AUGUST 2023

PER COURT :

Heard both the sides.

2. The petitioner was appointed as a 'Shikshan Sewak' on 04 September 2012. After having completed three years, on 04 August 2020, he was transferred from unaided division to the aided division. A proposal was forwarded to the respondent – Education Officer (Secondary), for grant of approval to the transfer, however, the Education Officer has granted the approval but only on 40% grant-in-aid basis.

3. It appears that the issue has been covered by the decision of this Court in Writ Petition No. 1493 of 2018, dated 04 July 2019. Based on that, in Writ Petition No. 2278 of 2021, Suvarnamala D/o. Prakash Dudhate Versus The State of Maharashtra and others, and connected Writ Petitions, by the order dated 04 February 2021, this

Court had again reiterated about entitlement of a person to approval on 100 % grant in post.

4. We allow the Writ Petition partly, quash and set aside the impugned order and direct the respondent no. 3 – Education Officer (Secondary), to pass appropriate order afresh in the light of the above observations and take the decision as expeditiously as possible and in any case within a period of eight weeks.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/