

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

953 WRIT PETITION NO. 9527 OF 2023

SHRIDHAR SHIVAJIRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. V.S. Panpatte
AGP for the respondent – State : Mr. A.A. Jagatkar
Advocate for respondents 3 and 4 : Mr. R.C. Brahmkar

...

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

DATE : 03 AUGUST 2023

PC :

Heard learned advocate for the petitioner, learned AGP for respondents 1 and 2 and Mr. Brahmkar for respondents 3 and 4.

2. By way of this petition, the petitioner is challenging the order passed by the respondent no. 2 thereby refusing to grant approval to the petitioner's transfer from unaided division to the aided division only on the ground of government circular dated 01-12-2022.

3. In the matter of ***Friends Social Circle and others Vs. State of Maharashtra and another*** decided by this Court on 21-07-2023, the very circular dated 01-12-2022 has been quashed and set aside.

4. In view of the above, the writ petition is partly allowed.

5. Impugned order is quashed and set aside and the matter is relegated back to the respondent no. 2 for taking a decision afresh on its own merits but without referring to the circular dated 01-12-2022. The decision shall be taken as expeditiously as possible and in any case within six weeks.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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