

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

930 WRIT PETITION NO.10841 OF 2023

ANIL NARAYAN PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Imale Ramesh Ramdas
AGP for Respondents/State : Mr. P.S. Patil
Advocate for R/2 & 3 : Mr. U.S. Bondar
...

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRADE, JJ.**
DATE : 31st August, 2023

PC. :-

1. The Petitioner prays that his representation dated 11.08.2023 be considered by the C.E.O., Zilla Parishad, Aurangabad. His wife is working at Aurangabad since 11.06.1997. He is at Soygaon, which is a distance of 132 kms. He is suffering from a heart ailment and has undergone Angioplasty. He prays that he be shifted to any place nearer to Aurangabad within 30 kms of his wife, as per the GR dated 07.04.2021.

2. This Court has interpreted the aforesaid GR and has concluded that the couple has to be kept within 30 kms of each other and the condition of 3 years deployment at a particular station to be eligible for transfer on couple convenience, would not be applicable.

3. In view of the above, **this petition is disposed off.** We expect Respondent No.2 to consider the case of the Petitioner for the academic year 2024-2025. We are issuing these directions to avoid any interruption in the imparting of education by the Petitioner at his present station since, recently, the State of Maharashtra has declared that the 2024 S.S.C. exams would be conducted in March-2024. However, if it is permissible within the rules to accommodate the Petitioner's request during this Diwali vacation of 2023, we leave it to the wisdom of the C.E.O. to take a decision.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]