

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11351 OF 2023

Syed Kamran Adil Syed Mumtaz Ali ...Petitioner

Versus

The State of Maharashtra and others ...Respondents

.....
Mrs. Anjali Dube, advocate for the petitioner
Mr. A.R. Kale A.G.P. for respondent Nos. 1 to 3
.....

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ.
& ARUN R. PEDNEKER, J.**

DATE : 13th SEPTEMBER, 2023.

P.C. :

1. Heard the learned counsel for the petitioner and the learned A.G.P. for respondent Nos. 1 to 3.

2. Under challenge in this petition is an order dated 23.06.2023, passed by the Education Officer (Secondary), Zilla Parishad, Parbhani whereby the said authority has rejected the proposal for transfer of the petitioner stating the reason that there is some dispute in the management of the institution.

3. The Division Bench of this Court (Coram: Ravindra V. Ghuge and Y.G. Khobragade, JJ.) in the case of ***Sumayya Tasneem Farheen Md Akbar vs. The State of Maharashtra and others*** (writ petition No. 10302 of 2023, decided on 21.08.2023) has held that the said reason rejecting the proposal for approval is not liable to be sustained. Accordingly, we allow this writ petition and quash the impugned order dated 23.06.2023.

4. We, however, direct respondent No.3 to consider the proposal of the petitioner and pass a fresh order, strictly in accordance with law, within a period four weeks from the date of production of certified copy of this order.

(ARUN R. PEDNEKER, J.)

(CHIEF JUSTICE)

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