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

908 WRIT PETITION NO.11187 OF 2023

**SMT. SHARADA DEVILAL JOSHI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Mr Sambhaji G. Munde, Advocate for Petitioner;
Mr S. K. Tambe, A.G.P. for Respondent Nos.1 & 2
Mr V. M. Vibhute, Advocate for Respondent Nos.3 & 4

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 7th September, 2023

PER COURT:

1. This Petition is filed purely on the basis of certain colour photographs that are placed before us, with a request that, this Court should exercise it's Writ of Mandamus and declare that the place, where the Petitioner is working, is a difficult area.

2. A glance at the photographs indicates that, there are wide roads, on which, vehicles can be driven. The place where the Petitioner is presently working is the Zilla Parishad School,

(2)

Avare Wasti, Gangapur in Aurangabad District. The Petitioner was transferred vide the order dated 21/03/2023 from the Bangaon School, Tq. and Dist. Aurangabad to the Zilla Parishad School, Avare Wasti, Tq. Gangapur, Aurangabad.

3. The learned A.G.P. is right in submitting that the State of Maharashtra carries out a routine review of Hilly and difficult areas. Considering the improvements in the earlier proclaimed difficult areas, some of such locations are de-listed. Upon finding certain areas to be backward in the light of the parameters that have been settled, such areas are included in the difficult/hilly areas.

4. In view of the above, we do not deem it appropriate to step into the shoes of the State Government/Zilla Parishad and decide, as to which area should be declared as the difficult/hilly area. Certain decisions are best left to the wisdom and competency of the State Government. It would have been a different case, if the State Government was not reviewing such areas for decades.

(3)

5. In view of the above, **this Writ Petition is dismissed.**

6. If the Petitioner desires to bring it to the notice of the Government of Maharashtra/Zilla Parishad, as the case may be, about the geographical area/ topography of Avare Vasti, he is at liberty. However, this would not mean that, we have created a cause of action for the Petitioner.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk