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

915 WRIT PETITION NO.11749 OF 2022
WITH CA/1150/2023 IN WP/11749/2022

**PRAVIN ASHOK BELDAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Ms Pratiksha C. Kale, Advocate h/f Mr Suvidh S. Kulkarni,
Advocate for petitioners;
Mr S. G. Sangle, A.G.P. for respondent Nos.1 to 3
Mr A. D. Aghav, Advocate for respondent No.4
Mr U. B. Bilolikar, Advocate for respondent/intervenor

AND

992 WRIT PETITION NO.541 OF 2023

**MAHARASHTRA RAJYA DIVYANG KARMACHARI
SANGATHNA THROUGH HANMANT SHINDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Mr Saeed S. Shaikh, Advocate for petitioner;
Mr S. G. Sangle, A.G.P. for respondent Nos.1 & 2
Mr U. B. Bilolikar, Advocate for respondent No.5

CORAM : RAVINDRA V. GHUGE

AND

SANJAY A. DESHMUKH, JJ.

DATE : 10th February, 2023

PER COURT:

1. The petitioners in Writ Petition No.11749/2022 are before this Court, upon being aggrieved with the transfer process for the

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academic year 2022-23, which is likely to lead to a mid-term transfer of the employees.

2. This Court has already held earlier in Writ Petition No.13344/2022 vide order dated 06/01/2023 that, when the students are exam going in the months of February or March or April of an academic year, their teachers cannot be suddenly transferred and replaced by new teachers, who would have to grapple with the pending syllabus, not knowing from what point they should proceed with the pending syllabus. It would also create discomfort amongst the students, as they would be facing new teachers. We had, therefore, opined that the procedure of the transfer be completed according to the policy of the Government and the transfer should be effected after the exams of the students are over, during the vacation period, save and except in an exceptional or a peculiar case.

3. The learned A.G.P. has placed before us a communication dated 07/12/2023, addressed by the Desk Officer, Rural Development Department, Mumbai to the Deputy Commissioner (Establishment), office of the Divisional Commissioner, Nashik, that though the transfer programme for the academic year 2022-23

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would be completed in accordance with the procedure laid down, those employees, who would be transferred, would be relieved from the posting after the academic year is over. A copy of the said communication is marked as 'X' for identification.

4. The learned Advocate for the petitioners submits that, their grievance is redressed.

5. In view of the above, this petition is disposed off. Pending civil application does not survive and the same stands disposed off.

6. In view of the above, Writ Petition No.541/2023 also stands worked out and the same is disposed off.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)

sjk