

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

WRIT PETITION NO.65 OF 2023

**SRIMANT HIRAJI SONAWANE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

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Advocate for the Petitioners : Shri Munde Sambhaji G.
AGP for Respondents 1 and 2/State : Shri S.P. Tiwari
Advocate for Respondents 3 and 4 : Shri P.D. Suryawanshi

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 27th April, 2023

Per Court :-

1. Both the Petitioners are males, who claim to be 53 plus in age. By Government Resolution dated 07.04.2021, those male teachers, who are 53+, are also protected from transfer to tribal, remote, very remote and difficult areas. Admittedly, these Petitioners are covered by the said Government Resolution and cannot be transferred to hilly/difficult areas.

2. On these premises, this Petition deserves to be allowed. However, the learned Advocate representing the Zilla Parishad, submits that since a special committee has been formed

by the Zilla Parishad to look into the grievances of such Petitioners, the claim of these Petitioners would be considered and a decision would be arrived at expeditiously.

3. In view of the above, though we were about to allow this Petition, at the request of the learned Advocate for the Zilla Parishad, **the Writ Petition is disposed off** with the direction to the Zilla Parishad to initiate remedial steps to ensure that the Petitioners, who are covered by the Government Resolution dated 07.04.2021, would not be transferred to the hilly region. The Zilla Parishad would enter into an age verification exercise to find out as to whether any of the Petitioners were less than 53 years of age, on the date of the issuance of the transfer orders. This exercise shall be completed on or before 15.05.2023.

4. In the event any application/representation has not been filed by any of these Petitioners, this petition may be treated as their applications.

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(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)