



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10729 OF 2023

Swapnali Vitthalrao Shinde (Babar)

...Petitioner

Versus

The State of Maharashtra And Ors.

...Respondents

Mr. Balaji Shinde for the Petitioner.

Ms. P. J. Gavhane, AGP for Respondent No.1 (State).

CORAM : G. S. KULKARNI,
JITENDRA JAIN, J.J.

Date : 4th NOVEMBER, 2023.

P.C.

. Not on board, taken on production board.

2. This Petition filed under Article 226 of the Constitution of India, seeks direction against Respondents not to transfer the Petitioner beyond 30 km. from working place of her husband as per Couple Convenience Policy.

3. The Petitioner is working as Assistant Teacher with Zilla Parishad, Sindhudurg and her husband is working at Kankawali which is at a distance of 90 km. The Petitioner is a feeding mother and has a daughter who is 1 year and 8 months old. The Petitioner relied upon Couple Convenience Policy issued by the Government which states that

the couple should be given posting within 30 km. from each other and feeding mother be accommodated in a school convenient to her. The Petitioner has made representation dated 10th February 2023 in this regard to Zilla Parishad, Sindhudurg which is at page 51 of the present petition and the representation is pending as on today.

4. The Respondent Nos.2 and 3 are served, despite which they are not represented. However, considering nature of the order being passed by us, no prejudice would be caused to these Respondents.

5. We direct Respondent No.3 to consider the representation of the Petitioner made vide letter dated 10th February 2023 and take appropriate decision as expeditiously as possible and in any case within a period of 6 weeks from today.

6. All contentions of the parties are expressly kept open.

7. Writ Petitions is disposed of in above terms. No order as to costs.

[JITENDRA JAIN, J.]

[G. S. KULKARNI, J.]