

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.15771 OF 2023**

Digitally  
signed by  
ASHVINI  
BAPPASAHEB  
KAKDE  
Date:  
2024.01.19  
17:14:10  
+0530

Shri. Deepak Pandurang Babar  
Age:47 Years, Occupation: Service,  
R/o. A/P. Bastavade, Taluka : Kagal,  
District: Kolhapur

...Petitioner

Versus

1. The State of Maharashtra  
Through the Secretary,  
School Education and Sports  
Department, Mantralaya,  
Mumbai-400 032
2. The Commissioner of Educational  
School Education Department,  
Maharashtra State, Pune
3. The Director of Education,  
(Secondary and Higher Secondary),  
Maharashtra State, Pune-1.
4. The Deputy Director of Education,  
Kolhapur Region, Kolhapur,  
Having Office at, Hatti Mahal, Ganji  
Galli, Somwar Peth, Kolhapur.
5. The Education Officer (Secondary),  
Zilla Parishad, Kolhapur,  
Having Office at, Zilla Parishad  
Building, Nagala Park, Kolhapur
6. Jai Shivray Education Society,  
Murgud, Tal: Kaga, Dist: Kolhapur,

Through its President/Secretary.

7. New English School, Jaragnagar,  
R. S. No.788, Plot No.46, Layout No.3,  
Jaragnagar, Kolhapur, Tal. Karvir,  
Dist. Kolhapur,  
Through its Head Master

...Respondents

----

Mr. Prashant Bhavake for the Petitioner.  
Mr. V. M. Mali, AGP for Respondent-State.

----

**CORAM : A. S. CHANDURKAR &  
FIRDOSH P. POONIWALLA, JJ.**  
**DATE : 19<sup>th</sup> DECEMBER 2023**

**Oral Judgment (Per A. S. Chandurkar J.):**

1. Rule. Rule made returnable forthwith.
2. Learned Assistant Government Pleader waives notice for Respondent Nos.1 to 5. Considering the nature of directions proposed to be issued, service on Respondent Nos.6 and 7 is dispensed with.
3. The proposal seeking approval to the transfer of the Petitioner from an un-aided post of Assistant Teacher to an aided post has been made on 21/08/2023. The said proposal is pending with the Education Officer (Secondary).
4. In these facts the Writ Petition is disposed of by directing Respondent No.5-Education Officer (Secondary) to consider and decide the said proposal in accordance with law within a period of eight weeks of

receiving a copy of this Order. The proposal shall be decided in accordance with law, after granting an opportunity of hearing to the Petitioner. In case approval is granted, all consequential benefits including grant of Shalarth ID shall be made applicable to the Petitioner.

5. Rule is disposed of in aforesaid terms.

**(FIRDOSH P. POONIWALLA, J.)**

**(A. S. CHANDURKAR, J.)**