



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

WRIT PETITION NO.8471 OF 2022

Shrimati Khairnar Harshada Ramdas .. Petitioner.
v/s.
State of Maharashtra
& Others .. Respondents.

Mr. R. S. Kadam with Mr. Kisan D. Dhamale, for the Petitioner.
Mr. K. S. Thorat, AGP for Respondent-State.
Mr. Adhik Kadam i/b. Mr. Aditya Aklekar, for Respondent No.4.

**CORAM: SUNIL B. SHUKRE &
FIRDOSH P. POONIWALLA,JJ.**
DATED : 14th SEPTEMBER, 2023.

PC:-

Heard.

2 **RULE.** Rule made returnable forthwith and with the consent of the parties, heard finally at the admission stage.

3 Learned Counsel for the Petitioner submits that all the documents which are stated to be not forwarded in the impugned order, have already been submitted by the Petitioner to the Education Officer. We have no reason not to accept the statement so made on instructions by learned Counsel for the Petitioner and therefore, we believe it to be true.

4 Accordingly, we find that the impugned order which states that the consent documents have not been submitted, is illegal and it may be quashed and set aside.

5 The impugned order is hereby quashed and set aside and the matter is remanded back to Respondent No.2 for a fresh decision in the matter, in accordance with law, after giving appropriate hearing to the Petitioner.

6 Petitioner shall appear before Respondent No.2 on 25th September, 2023 at 11.30 a.m. If required, the Petitioner may submit additional documents.

7 We direct Respondent No.2 to decide the proposal of granting approval to the transfer of the Petitioner in accordance with law, at the earliest and in any case, within four weeks from the date of appearance of the Petitioner before Respondent No.2.

8 Rule is made absolute in the matter. No order as to costs.

(FIRDOSH P POONTWALLA,J.)

(SUNIL B. SHUKRE,J.)