



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

WRIT PETITION NO.6435 OF 2023

Jyoti Gajanan Chokhat Petitioner
Versus..
Zilla Parishad, Amravati, through its Chief
Executive Officer, Amravati and ors. Respondents
.....

Mr.P.S.Patil Counsel for petitioner.
Mr. S.M.Ghodeswar, Assistant Government Pleader for
respondent no.3.
.....

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
A.S. CHANDURKAR, J.**

DATE : 17th OCTOBER, 2023.

P.C.

1. Mr. Ghodeswar, learned Assistant Government Pleader has put appearance and waives service of notice for respondent no.3.
2. In view of proposed order, requirement of issuing notice to respondent nos. 1 and 2 is hereby dispensed with.
3. Mr. Patil, learned Counsel for the petitioner submits that the petitioner's husband is presently working in a private school namely R.R.Lahoti School at Taroda, Tq. Morshi, District Amravati which is at a distance of 200 kilometers from where the petitioner is presently posted i.e. at Panchayat Samiti,

Dharni under Zilla Parishad, Amravati.

4. It has been argued on behalf of the petitioner that in terms of the Government Resolution dated 7th April, 2021 husband and wife are to be posted at same station or a nearby place and considering this Policy of the State Government, the petitioner was earlier transferred from Zilla Parishad, Wardha to Zilla Parishad, Amravati by means of an order dated 28th August, 2022. However, posting the petitioner now, by means of the order dated 23rd September, 2022, at Panchayat Samiti, Dharni which is at a distance of more than 200 kilometers from the place where the husband of the petitioner is posted, defeats the very purpose of the Government Policy dated 7th April, 2021 and in fact, such action on the part of the authorities concerned makes the Policy embodied in the Government Resolution dated 7th April, 2021 otiose. In this writ petition prayer is that a direction be issued to the authorities concerned to transfer the petitioner either at Panchayat Samiti, Morshi or at a nearby place.

5. Having regard to the nature of grievance raised in this writ petition, we find it appropriate to permit the petitioner to approach the Chief Executive Officer, Zilla Parishad, Amravati by way of making an appropriate application/ representation

seeking redressal of her grievances, within ten days from today. In case, any such application/representation is made by the petitioner, the same shall be considered and decided in accordance with the provisions contained in the Government Resolution dated 7th April, 2021.

6. We also direct the Chief Executive Officer, Zilla Parishad, Amravati that while taking a decision on the application/representation to be preferred under this order, he shall take into consideration the purpose for which the Government Resolution dated 7th April, 2021 has been issued. The Chief Executive Officer, Zilla Parishad, Amravati, thus needs to ensure compliance of the said Government Policy in its true spirit.

7. Decision under this order on the application/representation of the petitioner shall be taken within a period of four weeks from today.

8. With these observations and directions, the writ petition is finally disposed of.

(A.S. CHANDURKAR, J.)

(CHIEF JUSTICE)

Corrected as
per Court's
order dated
23.10.2023

Andurkar...