



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

996 WRIT PETITION NO. 338 OF 2024

SUDHAKAR DHONDIBA CHAVAN
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

...

Advocate for the Petitioner : Mr. Rodge Krishna Pratap
AGP for Respondents/State : Mr. R.S. Wani

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CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.

DATE : 9th January, 2024

PC. :-

1. The proposal of the Management dated 03.11.2023 seeking approval to the transfer of the Petitioner from the unaided to the aided establishment is not being processed because of the circular dated 01.12.2022, by which the State Government had stayed the effect of Rule 41-A of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981.
2. The above stated circular was stayed by this Court at the Nagpur Bench vide order dated 21.12.2022 in **Writ Petition No.8215/2022** (Friends Social Circle, Akola and Others V/s. State of Maharashtra and Others.) Subsequently, by a judgment dated 21.07.2023, the said petition along with a

group of petitions, were allowed and the Circular dated 01.12.2022, was quashed and set aside.

3. In view of the above, **this petition is disposed off** with a direction to the Education Officer to decide the pending proposal strictly in accordance with Rule 41-A and all the sub-clauses set out thereunder, within a period of 60 days.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]