



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

934 WRIT PETITION NO. 1501 OF 2024

**MINAKSHI PANDIT SURYAWANSHI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Mr. Shinde Balaji S.
AGP for Respondents/State : Mr. R.S. Wani
Advocate for R/3 & 4 : Mr. P.S. Patil
...

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 6th February, 2024**

PC. :-

1. All these Petitioners are lady teachers who have been transferred in the academic year 2023-2024 to the hilly/difficult region. By the GR dated 15.12.2018, lady teachers are not supposed to be deployed in the hilly region.
2. There is no dispute that the Government Resolution dated 15.02.2018, prohibits transfer of ladies to the remote, extreme remote and difficult areas. By Government Resolution dated 7.4.2021, those male teachers, who are 53+, are also protected from transfer to tribal, remote, very remote and difficult areas. Admittedly, all these lady Petitioners, are covered by these two Government Resolutions and cannot be transferred to hilly/difficult areas.

3. In view of the above, though we were about to allow this Petition, the learned advocate for the Zilla Parishad requested that, this Petition be disposed off with a direction to the Zilla Parishad to initiate remedial steps to ensure that the lady teachers, covered by the Government Resolution dated 15.02.2018, would not be transferred to the prohibited region. In case of male teachers, the Zilla Parishad would enter into an age verification exercise to find out as to whether any of the teachers were less than 53, on the date of the issuance of the transfer orders. This exercise shall be completed on or before 30.04.2024. Needless to state, by transferring the Petitioners to the non difficult / plain area, their postings shall be effective from the academic year June 2024 - 2025.

4. In the light of the above, **this petition is disposed off**. The Petitioners shall make a representation to Respondent Nos.1 and 2 within 15 days from today. These respondents would consider the said representation in the light of the GR dated 15.02.2018, on or before 30.04.2024 and if the Petitioners are granted postings in the plain areas, the same shall be effective from the academic year June-2024 onwards.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]