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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO. 7490 OF 2024

DHANRAJ MAROTIRAO SURYAWANSHI

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND OTHERS

Mr.R.D.Biradar, Advocate for the Petitioner.
Mr.K.K.Naik, AGP for the Respondent/State.
Mr.S.B.Ghute, Advocate for Respondent Nos. 4 and 5.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : JULY 24, 2024

PER COURT :

1. The Petitioner has put forth prayer clauses A, B and C as under :-

“A. The Petitioner is praying direction to quash and set aside order dated 06.03.2024 issued by respondent no.3 and restore the order dated 21.03.2023 issued by respondent no.3 within 11 months.

B. The petitioner is further praying that to decide the representation dated 03.01.2024.

C. The petitioner is praying stay to the Execution, implementation and operation of order dated 06.03.2024 issued by respondent no.3 by which petitioner came to be transfer from Halsi (H) Tq.Nilanga to Ladwadi Tq.Ausa, Dist.Latur.”

2. The Petitioner is a Teacher. The brother of the Complainant /

Informant, committed suicide by shooting himself with a service rifle in the computer room of the Killari Police Station. He was a Police Constable. He left a suicide note implicating the Petitioner. The Petitioner was arrested and, therefore, he was transferred by the School. By the order dated 17.04.2023, a Co-ordinate Bench of this Court allowed Criminal Application No.1755/2022 and quashed the FIR. A statement is made that no proceeding is carried to the Hon'ble Supreme Court. Hence, the Petitioner has moved a request application dated 03.01.2024, praying for bringing him back to the place from where he was transferred due to the police case.

3. The academic curriculum of the school has already started. We would not be comfortable in directing a transfer of any teacher during the academic curriculum.

4. **This Writ Petition is disposed off** with a direction to the Zilla Parishad, to consider the representation of the Petitioner dated 03.01.2024, in the light of the above and if it is found feasible and practicable to bring him back to the place from where he was transferred, an appropriate order be passed to be effected in May 2025, prior to the beginning of the new academic year 2025-2026.

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)