



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

WRIT PETITION NO. 5369 OF 2023

**DEEPA CHANDRAKANT MAVHARE ALIAS DEEPA JAYRAM
SATPUTE AND ANOTHER**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

....

Mr. Jayram S. Satpute – Petitioner No.2 – in person
Mr. M. M. Nerlikar, AGP for Respondent Nos. 1 to 3
Mr. V. P. Narwade, Advocate for Respondent Nos. 4 and 5

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 09.07.2024

PER COURT :-

1. The Petitioner no. 2 husband, is addressing the Court in person. At the request of the Petitioner no.2 and by the consent of the learned Advocate for the Petitioners, the appearance of Advocate Ambetkar, is discharged.

2. Both the Petitioners are teachers. They have prayed for taking up this matter for a hearing, out of turn.

3. The contention of the Petitioners is that the father of Petitioner No.2 is an Ex-Serviceman. He has certain age related ailments. Presently, he is comfortable since both the Petitioners are within 20 kms from each other and therefore, the couple convenience (पती-पत्नी एकत्रीकरण) policy has ensured the well-being of the father of Petitioner No.2.

4. The learned AGP and the learned Advocate for the Zilla Parishad, submit that this Petition was preferred on 04.05.2023. By the order of the Vacation Court dated 12.05.2023, the Chief Executive Officer, Zilla Parishad, was directed to decide the representation. That was the only prayer pressed by the Petitioners. In addition thereto, prayer clause (B) has been put forth, which reads as under :-

“(B) By issuing a Writ of Mandamus or any other appropriate writ, order or directions in the like nature, this Hon’ble Court may kindly be pleased be direct to respondents to provide benefits of the petitioners from the category of Special Class Teacher Part-I (Vishesh Sangvarg Shikshak Bhaga-1) with intra-district Transfer 2023 as per the Government Resolution dated 07.04.2021 issued by the respondent No.2.”

5. The Respondents oppose this Petition on the ground that the purpose for which it was filed, was served by the order of the

learned Vacation Court. Both the Petitioners are within 20 kms of each other and the earlier representation was rejected. As on date, there is no cause of action.

6. In view of the above, we do not find any reason to entertain this Petition. **This Writ Petition is disposed off.**

7. Needless to state, in the event, the Petitioners receive any order of transfer, which is not to their liking, they may take recourse to the remedy as may be permissible in law.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

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