



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

WRIT PETITION NO. 9688 OF 2024

**SHILPA KASHINATH GHANKUTE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY AND OTHERS**

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Advocate for Petitioner : Mr. Shelke Shivaji T.
AGP for Respondents/State : Mr. R.S. Wani

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 05 SEPTEMBER 2024

PER COURT :

. Heard.

2. The petitioner is challenging the order passed by the respondent – Education Officer (Secondary) dated 07.09.2023, refusing to grant approval to her transfer from partially aided to aided division.

3. The government has filed the reply inter alia submitting that in all such similar matters, the government has passed a resolution dated 29.04.2024, calling upon all such proposals for being considered by the government, on their own merits, unless there are orders of the Court.

4. In the light of above, the impugned order is quashed and set aside.

5. The Education Officer (Secondary) shall forward petitioner's proposal to the government in the light of the government resolution dated 29.04.2024, within two weeks.

6. The decision shall be taken by the state government, as expeditiously as possible and in any case, within eight (8) weeks from receipt of the proposal from the Education Officer.

7. All the issues are kept open. The petitioner and the management are at liberty to send whatever documents they intend to be considered in support of the proposal. Even if the authority which will be considering the proposal entertains some doubt or need some clarification or if notices some shortcomings, those shall be notified to the respondent – management for compliance. The proposal shall not be rejected merely pointing deficiencies.

8. Writ petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb..