



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

928 WRIT PETITION NO. 595 OF 2024

**BHAGIRATHI JIVANDHARA PRATISHTHAN **
THROUGH ITS SECRETARY AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECREARY AND OTHERS

...

Advocate for the Petitioner : Mr. Tripathi Manish Purushottam
GP for Respondents/State : Mr. A.B Girase

...

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

DATE : 17th January, 2024

PC. :-

1. The Petitioner No.3 is an employee of Petitioner Nos.1 and 2. He has received permanent approval on 08.02.2016. He joined employment on 13.11.2013. Because of certain deficiencies in the proposal to transfer the Petitioner from the unaided category to the 20% aided category, Respondent No.3 passed the impugned order dated 30.11.2023.

2. It is undisputed that such proposals for seeking approval to the transfer from the unaided to the aided establishment, are to be considered and decided by Respondent No.2 and for inclusion in the Shalarth ID.

3. The Petitioners submit that all deficiencies were removed and a fresh proposal was tendered to Respondent No.3 on 08.12.2023. In so far as Petitioner No.3 not having the TET qualification and he having the permanent approval to his appointment, reliance is placed on the order dated 17.10.2023 passed by this Court in **Writ Petition No.12798/2023 (Ramakant Kashinath Rathod V/s. The State of Maharashtra & Ors.)**.

4. Having heard the submissions of the learned advocate for the Petitioner and the learned GP.

5. **This petition is partly allowed.** The impugned order is set aside. We direct Respondent No.3 to consider the proposal which is now tendered on 08.12.2023, keeping in view the law laid down by this Court in **Ramakant Kashinath Rathod** (supra). After perusing the proposal and after finding it to be in order, he would forward the proposal to Respondent No.2 in order to deal with said proposal on its own merits, within 60 days.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]