



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3368 OF 2024

Ashwini Ramesh More

VERSUS

The State Of Maharashtra Through Its Secretary And Others

Mr. M. C. Syed, Advocate for the Petitioner

Mr. S. K. Tambe, AGP for the Respondent/State

Mr. S. R. Yadav-Lonikar, Advocate for Respondent Nos.2 and 3.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 1st April, 2024

PER COURT :-

1. The Petitioner has put forth prayer clauses 'B' and 'C' as under:

"B) By writ of mandamus or any other appropriate writ, order or directions like in the nature, the respondent No.2 be directed to transfer the petitioner either of Sonpet Center at Zilla Parishad School Nila, Ukkadgaon, Karam or at Banpimpla, Tq. Gangakhed wherein the post is vacant to the Assistant Teacher in Zilla Parishad School.

C) By writ of mandamus or any other appropriate writ, order or directions like in the nature, the respondent No.2 be directed to decide the representation dt. 19.7.2023 and 21.7.2023 forthwith and specifically within a period of four weeks and further directed to consider the claim of petitioner and transfer her at nearest place from the Parli Vaijinath."

2. It is apparent that the Petitioner desires that the High Court should start monitoring the transfers of candidates by issuing Writ of

Mandamus to the Zilla Parishad to direct transfer of the Petitioner at the place of her choice. Her husband is working in a private school at Parli Vaijinath. The Petitioner is working in Parbhani Zilla Parishad school.

3. The learned Advocate representing the Zilla Parishad points out that the Petitioner had put forth 30 options. Preference at Sr. No. 8 was Zilla Parishad Primary School, Banegaon. Considering the modalities and feasibility, her preference for Banegaon was accepted. Now the Petitioner desires that she should be brought to a different place of her choice under a Writ of Mandamus. He submits that this Court cannot step into the shoes of the employer and start monitoring transfer of teachers from one place to another place.

4. The learned Advocate for the Petitioner submits that her husband is more than 30 Kms away. The learned Advocate for the Zilla Parishad submits that he is not in any Zilla Parishad school, but is in a private school.

5. In view of the above, we do not find that this Court can start monitoring the shifting of teachers as per their personal choices from one place to another place, depending upon their convenience, more so when the inter district teacher transfer process of 2022 has culminated in the issuance of a transfer order dated 12th May, 2023. The Petitioner has

joined at the place of transfer and this Petition is filed on 22nd December, 2023.

6. In view of the above, **this Writ Petition is disposed off**. In the event, any time in future, the Petitioner gets an opportunity of making an online application, for transfer, the concerned Authority would consider the same in accordance with the policies and Government Resolution.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

ssp