

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

23 WRIT PETITION NO. 10360 OF 2024

RAHUL SHARAD WAGH

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Wakade Ramesh I.
AGP for Respondent Nos. 1 to 3 : Mrs. P.J. Bharad

...

AND

28 WRIT PETITION NO. 10367 OF 2024

AJAY HARI PATIL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Wakade Ramesh I.
AGP for Respondent Nos. 1 to 3 : Mr. V.M. Jaware

...

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

DATE : 23 SEPTEMBER 2024

PER COURT :

Heard.

2. The petitioners are serving as a teacher in respondent no. 5 – School being run by respondent no. 4, is seeking writ of mandamus against the respondent no. 4 – Management for effecting transfer to a vacant granted post available in respondent no. 6 – School which is also being run by it, in the light of the Rule 41 and 41 – A of the Maharashtra Employees of Private Schools (Conditions of Services) Regulation Act, 1977 and Rules, 1981.

3. The issue that will have to be decided in the present Writ Petitions is as to whether the writ of mandamus can be issued against the Private Management as is being claimed, unless it is being pointed out that contrary to Rule 41-A of the MEPS Rules, a junior has been or is being transferred.

4. Learned Advocate for the petitioners seeks short accommodation.

5. Stand over to 07 October 2024.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]