

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(SR. NO.5) WRIT PETITION NO. 11184 OF 2023

Smt. Sudarshana Mansing Mohite ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

AND

(SR. NO.6) WRIT PETITION NO. 11191 OF 2023

Pandharinath Jagannath Jadhav ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

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Mr. Shrirang Katneshwarkar for the Petitioners.
Mr. K.S. Thorat, 'B' Panel counsel for Respondent/State in
WP/11184/2023.
Mr. S.B. Kalel, AGP for Respondent Nos. 1 and 2 in WP/11191/2023.

**CORAM : RAVINDRA V. GHUGE AND
M.M. SATHAYE, JJ.**

DATE : 08th OCTOBER, 2024

P.C. :

1. The issue raised by the Petitioners is that the proposals for their transfer from the unaided to aided establishment / partially aided to aided establishment, keeping in view Rule 41A of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981, are pending with Respondent No.2/Deputy Director of Education.

2. The learned AGP cites a Government Resolution dated 3rd October, 2024, which has been issued in pursuance to the Judgment delivered by this Court in *Friends Social Circle, Akola & Ors vs State of Maharashtra, 2023 SCC OnLine Bom 1503*. A procedure to be followed is now prescribed under the said Government Resolution, dated 3rd October 2024.

3. In view of the above, **both these Writ Petitions are disposed off** with a direction to Respondent No.2, to forward the proposals/representations of the Petitioners to the appropriate authority under the Government Resolution dated 3rd October, 2024 for an expeditious decision. Such decision on such proposals/representations, would be arrived at within 90 days from today. Needless to state, if the model code of conduct is introduced in the *interregnum*, the same shall not be an impediment for implementing the directions of this Court. The Deputy Director shall follow the due process laid down in law and ensure compliances, as are required from the Management.

(M.M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)