

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION**

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WRIT PETITION NO. 12288 OF 2023

Bhairavnath Shikshan Sanstha Through Its
Secretary And Ors

....Petitioners

V/S

The State Of Maharashtra Through Its Secretary,
Ministry Of Edu. And Sports Dept. And Anr

....Respondents

Mr. Vinod P. Sangivkar for the Petitioners.

Mr. S. B. Kalel, AGP for the Respondent-State.

**CORAM : NITIN JAMDAR &
M. M. SATHAYE, JJ.**

DATED : 29 FEBRUARY, 2024

P.C.:

. Heard learned counsel for the parties.

2. Petitioner No. 1 Institute, Petitioner No. 2 School and Petitioner No. 3 / employee have jointly approached this Court with a prayer seeking direction to Respondent No. 2 – Education Officer (Secondary), Zilla Parishad, Pune to decide their pending proposal dated 10 January 2022 for approval to transfer of Petitioner No. 3.

3. It is submitted that despite long pendency and all compliances being made and despite 2 representations / reminders, the proposal is kept pending.

4. In that view of the matter, we dispose of this petition by directing that if the Respondent Education Officer intends to return or reject the proposal, he is directed to communicate reasons / grounds therefor to the Petitioners within a period of 2 weeks from today.

5. The Respondent Educational Institute shall thereafter submit its explanation to the proposed grounds, along with supporting material including government resolutions, case laws / orders of this Court etc. if relied upon. The Respondent / Education Officer is directed to decide the proposal thereafter within a period of 6 weeks, by dealing with the explanation given by the Educational Institute as also dealing with case law/orders of this Court, by passing a reasoned order, subject to other time bound directions.

6. We have not expressed any opinion on the Petitioner's proposal and the same shall be decided on its own merits in accordance with law. Needless to mention that if the Respondent Education Officer proceeds to grant proposal as prayed, consequent benefits including Shalarth ID will follow, and in that case, the aforesaid procedure/directions will not apply.

7. The writ petition is disposed of in the aforesaid terms.

(M. M. SATHAYE, J.)

(NITIN JAMDAR, J.)