

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

WRIT PETITION NO. 11306 OF 2024

Sandip S/o Vijay Gawali And Ors

....Petitioners

V/S

State Of Maharashtra And Ors

....Respondents

Mr. Arvind G. Ambetkar for Petitioners

Mr. B.V. Samant, Addl. G.P. a/w Mr. S.P. Kamble, AGP for Respondent No.
1 to 3-State

Mr. Onkar Wable i/b. Mr. Milind Deshmukh for the Respondent No. 4

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

DATE : 14th OCTOBER, 2024.

P.C.:-

1. Few proposals of teachers seeking approval of their transfer from unaided to aided or partially aided to aided establishments, are pending with Respondent No. 3.

2. Heard the learned Advocates for the respective sides. It is undisputed that Rule 41A of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981 (for short "*the 1981 Rules*"), would squarely apply to the Petitioners and any proposal seeking approval for transfer from unaided to aided or partially aided to aided establishments, can be considered only after the conditions set out in Rule 41A of the 1981

Rules, having been satisfied.

3. Since the proposals are pending for sometime, we direct Respondent No. 3 to deal with each case on it's own merits and after a careful scrutiny of the proposals in the light of the conditions under Rule 41A of the 1981 Rules, a decision may be arrived at, on or before 15/11/2024. Thereafter, the decision be communicated to the respective Management.

4. With above directions, **this Writ Petition is disposed off.**

(M. M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)