



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2009/2024

Ku. Priyanka Pandurang Ghayal ... Petitioner

Vs.

Education Officer (Secondary), Zilla Parishad,
Washim, Tq. & Dist. Washim and another

...Respondents

Mr. P.S. Patil, Advocate for Petitioner

Mr. S.M. Ghodeswar, AGP for Respondent no.1

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
NITIN W. SAMBRE, J.**

DATE : 04th APRIL, 2024

P.C.

Heard Mr. P.S. Patil, learned Counsel for the Petitioner and Mr. S.M. Ghodeswar, learned Assistant Government Pleader for Respondent no.1. Since Respondent no.2 is a formal party, notice need not be issued to Respondent no.2.

2. Under challenge in this petition is an order dated 29/12/2023, passed by the Education Officer (Secondary), Zilla Parishad, Washim, whereby proposal for transfer of the Petitioner from a non grant-in-aid Institution to a grant-in-aid Institution has been rejected.

3. The reason indicated for rejecting the proposal of transfer of the Petitioner in the impugned order is a Circular dated 01/12/2022.

4. Mr. P.S. Patil, learned Counsel for the Petitioner states that the very basis of the impugned order i.e. the Circular dated 01/12/2022 became subject matter of challenge before this Court in a bunch of Writ Petitions, leading a Writ Petition being Writ Petition No.8215/2022 and the said Circular has been quashed by a Co-ordinate Bench of this Court by the judgment rendered in the said batch of Writ Petitions on 21/07/2023.

5. In view of the aforesaid, we dispose of this Writ Petition with a direction to the Education Officer (Secondary), Zilla Parishad, Washim to reconsider the proposal of transfer of the Petitioner from a non grant-in-aid Institution to a grant-in-aid Institution, in the light of the judgment rendered by the Division Bench of this Court on 21/07/2023 in the aforesaid batch of Writ Petitions.

6. The Petitioner shall accordingly apprise the Education Officer of this order and also submit a copy of the order dated 21/07/2023, passed by this Court in a batch of Writ Petitions, as aforesaid, within a fortnight from today and thereafter the Education Officer shall take a fresh decision, keeping in view the judgment of this Court dated 21/07/2023.

7. The decision, under this order, by the Education Officer, shall be taken within six weeks from the date the certified copy of this order is submitted.

8. With the aforesaid observations, the writ petition is disposed of in the aforesaid terms.

(NITIN W. SAMBRE, J.)

(CHIEF JUSTICE)