



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

WRIT PETITION NO.5034 of 2024

Dilip s/o Narayanrao Talhande and another Vs. State of Maharashtra and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms. Smita Dashputre, Advocate for petitioners.
Mr. H.D.Marathe, AGP for respondent nos.1 to 3.

CORAM : NITIN W. SAMBRE & MRS. VRUSHALI V. JOSHI, JJ.
DATE : OCTOBER 24, 2024.

1. Heard.
2. The proposal for approval to the transfer of the petitioner to a Institution, who is receiving 100% grant came to be rejected vide order impugned.
3. The issue is informed to be governed by the provisions of Rule 41 (5) of the Maharashtra Employees of Private Schools (Conditions of Services) Rules, 1981.
4. Since it is not in dispute that where the services of the petitioner are transferred, the institution is already admitted to 100% grant, we quash and set aside the impugned order with directions to reconsider the claim of the petitioner in the light of the said provision i.e. Rule 41 (5) of the Maharashtra Employees of Private Schools (Conditions of Services) Rules, 1981.
5. Let the decision be communicated within eight weeks from today
6. The petition stands disposed of.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W.SAMBRE, J.)