



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

WRIT PETITION NO. 5182 OF 2024

Mohd. Farooque Abdul Qadeer

-- Petitioner

Vs.

1. Education Officer (Primary), Zilla Parishad, -- Respondents
Akola.

2. Head Master, Dr.Jakir Hussain Urdu
Primary School, Sailani Nagar, Dabki Road,
Akola.

3. Asha Education Society, Through Secretary
C/o Dr.Jakir Hussain Urdu Primary School,
Sailani Nagar, Dabki Road, Akola.

4. Mohd. Wasim Mujahid Sheikh Rahmatullah.

5. The Deputy Director of Education,
Amravati Division, Amravati.

Mr. R.D. Karode, Advocate for the Petitioner.

Mr. S.M. Ukey, Additional Government Pleader for the Respondent
no.5.

CORAM : NITIN JAMDAR & NITIN W. SAMBRE, JJ.

DATE : 10 SEPTEMBER 2024.

P.C. :

Heard the learned counsel for the parties.

2. The grievance of the Petitioner is that though the Petitioner is the senior-most teacher in the Respondent no.2-School run by the Respondent no.3-Management, the Respondent no.4 is transferred from unaided division to aided division by the Respondent-Management instead of the Petitioner.

3. The learned counsel for the Petitioner informs us that the proposal submitted by the Respondent-Management for approval of transfer of the Respondent no.4 is not yet sanctioned by the Respondent no.1-Education Officer (Primary), Zilla Parishad, Akola.

4. The Petitioner, if he has a grievance that he needs to be transferred from unaided division to the aided division and the approval should be granted to his transfer when effected, can always raise this grievance before the Education Officer (Primary) where the proposal of the Respondent-Management is stated to be pending.

5. If such an objection is lodged, the Education Officer (Primary) will decide such objection after giving adequate opportunity to all the parties. Since we have not issued notice to the unrepresented Respondents, we make it clear that the decision would be taken on own merits and as per law.

6. The Writ Petition is disposed of in above terms. No costs.

[NITIN W. SAMBRE, J.]

[NITIN JAMDAR, J.]