



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO. 4782 OF 2025

**JAN JAGRUTI SHIKSHAN PRASARAK MANDAL THROUGH ITS
SECRETARY AND OTHERS**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS**

....

Mr. M. P. Tripathi, Advocate for the Petitioners
Mr. M. M. Nerlikar, Addl. G.P for the Respondent – State
Ms Yogita S. Thorat, Advocate for Respondent No.3

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**CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.**

DATE : 24.04.2025

PER COURT :-

. The petitioners are awaiting decision on the proposal whereby the management has sought approval to the transfer of petitioner No.3 in purported exercise of the powers under Rule 41 and 41A of the M.E.PS. Rules 1981.

2. By way of precaution and anticipating that there is likelihood of the respondents referring to the government resolution dated 29.04.2024 and circular dated 03.10.2024, in

many matters this court has been directing the proposals seeking such approval to be considering ignoring those government and circular. In the light of the decision of this court in the matter of ***Friends Social Circle and others Vs. State of Maharashtra and others, 2023(5) ALL MR 601***, and many other matters decided subsequently.

3. In the light of above, the action of the respondent No.2 Regional Deputy Director of Education forwarding the proposal to the state government in the light of the aforementioned government resolution and circular, is not legally sustainable.

4. The writ petition is disposed of directing respondent No.2 to consider the proposal dated 19.06.2024 (Exhibit-D) on its own merits as expeditiously as possible and in any case within six weeks, without waiting for any response pursuant to the communication he had forwarded, which in turn has been forwarded by respondent No.2 Regional Deputy Director of Education to the state government.

[Y. G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]