



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4872 OF 2025

RAVINDRA PRASADRAO SADAVARTE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Salgare Vitthal G.
AGP for Respondents: Ms. A.S. Mantri
...

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 09.04.2025

PER COURT:

The petitioner is seeking a mandamus in the form of soliciting an order for transfer to an added division under Rule 41 and 41-A of the Maharashtra Employees of Private School (Condition of Services) Rules, 1981 (the MEPS Rules).

2. In our considered view, the petitioner does not have any vested right to seek such a transfer. Hypothetically a management may resort to and undertake a recruitment process for such appointment on a vacant post directly by following the requisite procedure as laid under in MEPS Act and the Rules.

3. Obviously, if some one junior to the petitioner is transferred under those provisions to an added division, he would have a cause to

agitate. Merely because the respondent – Education Officer on his own has recommended someone who is still to be appointed, the petitioner cannot be said to have any immediate cause for seeking writ of mandamus.

4. Keeping open the avenue for the petitioner to approach the High Court again if at all he is superseded in the matter of transfer to the vacant seat stated to be available for the reserved category candidate according to the roster, the writ petition is disposed of.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

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