



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5969 OF 2025

AJAY GORAKSHNATH MUSMADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Dighe Vitthal Haribhau
AGP for Respondents: Mr. V.M. Kagne
...

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

DATE : 06.05.2025

PER COURT:

Mr. Dighe, learned advocate for the petitioner submits that the petitioner is merely seeking a direction to the Education Officer (Secondary) for considering the proposal forwarded by the management dated 10.02.2025 (**Exhibit – ‘B’**) for grant of approval to his transfer from unaided post to aided post.

2. Since it is a matter of grant of approval to the order of transfer effected in purported exercise of Rule 41 and 41A of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981, in the light of the gloss put up by several benches of this Court in the particular clause of the Government Resolution dated 29.04.2024 and subsequent circular dated 03.10.2024, the writ petition is disposed of

directing respondent No. 2 – the Education Officer (Secondary), Zilla Parishad, Ahilyanagar, to consider the proposal (**Exhibit - 'B'**) and take appropriate decision himself, without resorting to and referring to the aforementioned Government Resolution and the circular, as expeditiously as possible, and in any case within four weeks.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

habeeb/