



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8956 OF 2025

Nilesh Yashwant Khandagale

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Dighe Vitthal Haribhau, for Petitioner.
- Ms. S. S. Joshi, AGP for Respondent Nos.1 and 2.

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 23rd JULY 2025.

P. C. :

1. Not on board. Taken on board.
2. Heard learned counsel for the petitioner and the learned AGP for respondent Nos.1 and 2.
3. The learned counsel 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 28th January 2025, (Exhibit "B") for grant of approval to her transfer from unaided post to aided post.
4. 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 29th April 2024 and subsequent circular dated 30th October 2024, the writ petition is disposed of directing respondent No.2 – 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.

5. The writ petition is disposed of in above terms. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)