



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

948 WRIT PETITION NO. 9851 OF 2019

MAULI DATTATRAY KUSALKAR AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. Ketan Pote h/f Mr. Ambetkar Arvind G.  
AGP for Respondent nos. 1 to 4 : Mr. A.V. Lavte  
Advocate for Respondent no. 6 : Mr. A.D. Aghav  
Advocate for Respondent nos. 7 & 8 : Mr. V.A. Dhakne  
Advocate for Respondent nos. 9 & 10 : Mr. Mr. Shelke Shivaji T.  
Advocate for Respondent nos. 13 & 14 : Mr. Patil Bankar Deelip N.

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

DATE : 28.03.2025

PER COURT :

This petition has been preferred by various employees from different Zilla Parishads across the State seeking their parent Zilla Parishad to relieve them for joining the other Zilla Parishads which were ready to accommodate them pursuant to inter district transfer orders.

2. By passage of time the grievance of rest of the petitioners stands satisfied, except petitioner no. 3, 13, 14 and 15 who are currently employed and posted in Zilla Parishad Palghar and are seeking that they be relieved for joining Zilla Parishad Ahilyanagar, which is ready to accommodate them.

3. It transpires that these four petitioners are not being relieved by the respondent-Palghar Zilla Parishad since there is an interim order passed at the Principal Seat in PIL No. 97/2023 on 20.07.2023. The order reads as under:

*“5. As regards the interim arrangement is concerned, prayer clause (E) of this Public Interest Litigation reads*

*thus:-*

*“E. To direct the respondent authorities to ensure that no teacher is relieved from the services of zilla parishad, Palghar for being transferred out of Zilla Parishad, Palghar, unless such post is occupied by some other teacher, by issuing a writ of mandamus or any other appropriate writ, order or direction as the case may be.”*

*6. We find that this prayer is justified and as not granting the same, would directly affect the education imparted in the schools. Therefore, till the next date there shall be ad interim relief in terms of prayer clause (E).”*

4. In the light of such supervening events, we had requested the learned advocate for the petitioners to take instructions, as to if they would apply for transfer of this matter or independently, the manner in which these petitioners would want to proceed further.

5. The learned advocate for the petitioner, on instructions, submits that the petition may be disposed of keeping open an avenue for the petitioners to approach the High Court in the wake of a decision/directions in the PIL, if so needed.

6. The writ petition is disposed of with liberty as prayed for.

( Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

mkd/-