



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

6 WRIT PETITION NO. 11323 OF 2025

SAYYED JAMIL SAYYED ISMAIL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

....

Mr. S. G. Munde, Advocate for the Petitioner

Mr. A. B. Girase, Government Pleader for Respondent Nos. 1 and 2

....

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

DATE : 16.09.2025

PER COURT :-

1. Heard learned counsel for the Petitioner.
2. We find that in the face of the admitted facts, this petition cannot be entertained.
3. Government Resolution dated 18.06.2024, specifies the transfer policy for transfer of employees like the petitioner herein, who are teachers in Zilla Parishad school.
4. The petitioner claims to be more than 53 years of age. Accordingly, as per Clause 1.8.13 of the said Government

Resolution, being more than 53 years of age, he is classified as Special Category Teacher-1. As per the Clauses of the Government Resolution, such special category teachers are given preference and they have to give their options when the process of transfer is undertaken.

5. Admittedly, the petitioner failed to give options at the relevant time.

6. Clause 4.5.4 of the Government Resolution specifies that, if a teacher fails to give preferences at the relevant time, he or she would be liable to be transferred to difficult area without reference to seniority.

7. Due to the aforesaid policy, the petitioner appears to be apprehensive and he has rushed to this Court.

8. However, according to us, there is no cause of action for the petitioner to file the present petition, and the situation in which he finds himself is of his own creation, as he failed to exercise his options at the relevant time, despite being categorized as a Special Category Teacher-1.

9. There is no merit in the present petition. Accordingly, it is dismissed. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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