



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 WRIT PETITION NO. 5534 OF 2025

NAGESH SOPANRAO BANGAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

Advocate for the Petitioner : Mr. Barlinge Sudhir Raghunath

AGP for Respondents: Mr. R.K. Ingole

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

DATE : 25.04.2025

PER COURT :

Mr. Barlinge, learned advocate for the petitioner submits that the petitioner is merely seeking a direction to the Education Officer for considering the proposal forwarded by the headmaster dated 05.12.2024 (**Exh. K**) for grant of approval to his transfer from unaided post to aided post. He would submit that though the petitioner had to file another writ petition and has also filed a civil application therein seeking a similar request, he would not press the civil application and the present petition may be considered on its own merits.

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 on 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. 4 -Education Officer, Zilla Parishad, Beed, to consider the proposal (**Exh. K**) 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 six weeks.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-