

URMILA
PRAMOD
INGALE

Digitally signed
by URMILA
PRAMOD
INGALE
Date:
2025.03.18
18:19:08 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3163 OF 2024

Smt. Yogita Vilasrao Kadus and ors. ... Petitioners
Versus
The State of Maharashtra and ors. Respondents

Mr. Mahesh Deshmukh i/b Mr.Arvind G. Ambetkar, for the Petitioners
(through V.C.)
Mr. N.M.Mehra, AGP for State- Respondents No.1 to 5.
Mr. Shrishail Sakhare, for Respondent No.7.
Mr. Ashok Kotangle a/w Mr.Vishnu Chaudhari, Mr. Nikitesh Kotangale,
Mr. Narendra Bhagat & Mr. Chandrakant Valani, for Respondent No.8.

**CORAM : M.S.KARNIK &
ASHWIN D. BHOBE, JJ.**

DATE : 18th MARCH, 2025

P.C. :

1. We are informed that there is an alternate efficacious remedy for preferring a revision before the Divisional Commissioner when a Zill Parishad teacher aggrieved by transfer effected in breach of the G.R. dated 23/05/2023. If such representations are made, representations may be considered expeditiously in accordance with law
2. Another grievance of the learned counsel for the petitioners is that in terms of clause 8.3 of the policy, it is only the seniority list of

the Zilla Parishad teachers which has to be considered for the purpose of preference. It is submitted by learned counsel that the seniority of spouse working in some other department, not as a teacher with Zilla Parishad, is also being taken into consideration for the purpose of preference. In our opinion, G.R is very specific as it indicates that for effecting transfers on the basis of the policy retaining husband and wife together at one destination, it is the seniority of the teachers working in the Zilla Parishad that will be relevant for the preference in terms of the G.R dated 23/05/2023.

3. The representations made to the Principal Secretary or the Divisional Commissioner may be disposed of expeditiously in accordance with law, preferably within a period of 4 weeks from the date this order is placed on the record of the concerned authority.

4. Keeping all contentions open, the writ petition is disposed of.

(ASHWIN D. BHOBE, J.)

(M.S.KARNIK, J.)