

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

WRIT PETITION NO. 13565 OF 2025

Kailas Bhima Gunjal & Ors.

... Petitioners

versus

The State of Maharashtra & Ors.

... Respondents

...

Mr.S.S.Pakale, Senior Advocate with Mr.Saurabh Pakale and Ms.Shaheen Dhamaskar i/b. Ms.Padmaja Malgaonkar for the Petitioners.

Mr.P.P.Kakade, Addl. GP with Ms.Nisha Mehra, AGP for the Respondent - State.

Mr.Ashwin R. Kapadnis for Respondent Nos. 5 and 6, Pune Zilla Parishad.

...

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : OCTOBER 16, 2025

P.C:

1. We have perused our order dated 20th September 2025, passed in Writ Petition No. 11969 of 2025, and the order dated 23rd September 2025, passed in a batch of Writ Petitions, including Writ Petition No. 11788 of 2025.

2. In the above backdrop, we have perused the impugned orders. The same are passed by the Chief Executive Officer (CEO) of the Pune

Zilla Parishad, namely, Mr. Gajanan Patil. The said orders are practically in one sentence. There is no reason assigned to the rejection of the applications of the Petitioners.

3. The learned Senior Advocate points out that the Committee, comprising of an Education Officer nominated by the CEO and another Officer, conducted the hearing on 7th October, 2025, in the absence of the Chairperson of the Committee, who is the CEO of the Pune Zilla Parishad.

4. We cannot appreciate such a manner of passing an order, where the hearing was conducted by only two members, without the presence of the Chairperson.

5. Now, the learned Advocate for the Zilla Parishad is instructed to convey to the Court that the CEO is in the process of passing separate orders.

6. The record indicates that the order of rejection of the Appeal, is before us, dated 13th October 2025, and the actual order is now being dictated by the CEO. We find this to be a strange practice. What intrigues us is that an officer of the rank of CEO, who belongs to the IAS cadre,

rejected the appeal without participating in the hearing and is now said to be busy formalizing reasoned orders in similar cases.

7. The learned Advocate for the Zilla Parishad is called upon to place before us a communication dated 15th October, 2025 addressed to him by Mr.Sanjay Naikade, Education Officer (Primary), Pune Zilla Parishad (photostat copy). The same is marked as 'X' for identification.

8. In view of the above, since a weird procedure has been followed, the Writ Petition is allowed. The impugned orders are quashed and set aside. Needless to state, the transfer orders issued pursuant to the impugned orders shall not be effected.

9. We direct the CEO of the Pune Zilla Parishad to consider the applications of the Petitioners by taking into account the reasons assigned, keeping in view that one of the Petitioners lost, both his mother and his wife, within a span of six months, is 53 years of age, is a diabetic, has two children to care for, and yet was hurriedly issued a transfer order.

10. The CEO shall, therefore, pass an individual order in these cases in the light of our directions set out in the above referred two orders.

Thereafter, the Petitioners may approach the Divisional Commissioner in tune with the scheme applicable.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)

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