



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 2410 OF 2025

SMT. VARSHA MADHUKARRAO LAMSE

VERSUS

STATE OF MAH., THRU. PRI.SECY., DEPTT. OF RURAL DEVPT. , MUMBAI AND OTHS.

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. C. A. Babrekar, Advocate for the petitioner.
Mrs. K. H. Bhondge, A.G.P. for respondent no.1
Mr. S. S. Shinde, Advocate for respondent nos.2 and 3.

CORAM : SMT. M. S. JAWALKAR and
M. W. CHANDWANI, JJ.

DATE : NOVEMBER 26, 2025.

1. Heard.
2. By this petition, the petitioner challenges the transfer order dated 31.12.2024 issued by respondent no.2, thereby transferring her from the school at Sarsi, Tah. Teosa, Dist. Amravati to a school at Dharni, Dist. Amravati.
3. The petitioner claims that Dharni is a difficult area and therefore, in wake of the Government Resolution dated 15th February, 2018, a lady cannot be transferred to a difficult area. To buttress his submission, the learned counsel placed reliance on the decision in the case of *Liladhar Shamrao Pimpalshende and others .vs. The State of Maharashtra and another* in *Writ Petition No. 1560 of 2023* with other connected petitions, decided on 11.04.2023 wherein, the Division Bench of this Court (Nagpur Bench) has observed that the Government

Resolution dated 15.02.2018 shall be followed to ensure that lady teachers would not be deployed in difficult areas.

4. The petition is opposed by respondent nos.2 and 3 on the ground that, by the Government Resolution dated 15.02.2018, the Chief Officer of the concerned Zilla Parishad has been authorized to declare any difficult area as a fit and suitable area for a lady teacher.

5. Our attention has been drawn to a declaration made by the Education Officer (Primary), Zilla Parishad, Amravati by which it has been declared that Dharni is a fit and suitable place of work for a lady teacher. Therefore, we do not find merit in the submission of the learned counsel for the petitioner that a lady teacher cannot be transferred to Dharni.

6. At this stage, the learned counsel for the petitioner submitted that the petitioner's husband is also working as a Teacher at Amravati and as per the Husband Wife Unification policy, a spouse cannot be transferred more than 30 Kilometers away from the area where the other spouse is posted as a teacher. Needless to mention that, the distance between Dharni and Amravati is admittedly, more than 30 kilometers. However, it appears that after transfer of the petitioner, she did not approach the Standing Committee of Zilla Parishad, Amravati by filing a representation.

7. Be that as it may, we feel that the petition can be disposed of with a direction to respondent nos. 2 and 3 to

consider the request/representation of the petitioner with regard to the Husband Wife Unification transfer policy in case of this couple. If such representation is made, respondent nos.2 and 3 shall decide such representation within a period of two weeks from receipt of the same.

8. Till such representation made by the petitioner is decided by respondent nos.2 and 3, the petitioner shall be allowed to join at Sarsi, Tah. Teosa, Dist. Amravati.

9. The writ petition stands disposed of in the abovesaid terms.

(M.W.CHANDWANI, J.)

(SMT. M.S.JAWALKAR, J.)

Diwale