



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 6317 OF 2025

Shabina Begum d/o Majid Khan and another

-Vs.-

The State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. S.Sufiyan, Adv.for the petitioners.
Ms Kavita Bhondge, AGP for the respondents-State.

**CORAM : SMT. M. S. JAWALKAR &
M.W.CHANDWANI, JJ.**

DATE : 13TH NOVEMBER, 2025

P.C.

Heard the learned counsel for the petitioners and
the learned AGP for the respondent No.1.

2. The petitioner No.1 is the legally wedded wife of
the petitioner No.2 and both the petitioners are serving as
teachers at Zilla Parishad Upper Primary Urdu School,
Amboda, Tahsil Mahagaon, District Yavatmal. The
petitioner No.1 submitted on-line form meant for transfer.
It appears that the petitioner No.1 has transferred contrary
to the Government Resolution dated 18/06/2024, wherein
clause 4.3.4 provides that the husband and wife are to be
treated as one unit. Therefore, they are directed to be
transferred at one place or if there are no post on the said
place, transferred either of one within thirty kilometers of
radius. For the sake of convenience, clause 4.3.4 is

reproduced as under:

“४.३.४.उपरोक्त प्रमाणे पती-पत्नी एकत्रीकरण झाल्यावर संबंधित कर्मचाऱ्यांच्या बदलीसाठी या शासन निर्णयातील नमूद केलेल्या कार्यपद्धती लागू होतील. या तरतुदींप्रमाणे संबंधिताची बदलीस पात्र सेवा झाल्यानंतर त्यांची पुढील बदली करताना उपरोक्त नमूद केल्याप्रमाणे त्यांना एक एकक (one unit) मानून बदलीने नियुक्ती देता येईल. पर्यायाने ज्या ठिकाणी दोन जागा रिक्त असतील अशा ठिकाणी अन्यथा ३० कि.मी. परिसरात दोन जागा रिक्त असतील अशा ठिकाणी अथवा संबंधितांनी मागणी केलेल्या सोयीच्या ठिकाणी शक्यतो त्यांची बदली केली जाईल. जर दोघे पती पत्नी जिल्हा परिषदेमध्ये शिक्षक असतील तर एकत्रीकरण झाल्यानंतर त्या दोघांना एक एकक म्हणून विचारात घ्यावयाचे आहे. यापैकी एकाची पण बदलीस पात्र सेवा झाली असल्यास त्या दोघांनाही बदलीस पात्र /क रण्यात येईल.”

3. It appears that the petitioner No.1 vide order dated 21/08/2025 transferred to Zilla Parishad Primary Urdu School, Shembal Pimpri, Pusad, Distrit Yavatmal. There is no dispute that the transferred place is at the distance of sixty two kilometers from the service place of the petitioner No.2, which is contrary to the policy of the GR dated 18/06/2024. The petitioner has already joined at the transferred place. However, the representation of the petitioner No.1 dated 20/08/2025 is pending before the respondent No.2-Chief Executive Officer, Zilla Parishad Yavatmal. As such, the petition can be disposed of if the Chief Executive Officer, Zilla Parishad Yavatmal is directed to decide the representation of the petitioner No.1 as per GR dated 18/06/2024. Accordingly, respondent No.2-Chief Executive Officer, Zilla Parishad Yavatmal is directed to decide the pending representation dated 20/08/2025 by

05/12/2025. In view of this direction, the other prayers do not survive.

4. In view of above directions, the petition stands disposed of. No costs.

(M.W.CHANDWANI, J)

(SMT.M.S.JAWALKAR, J)