



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 WRIT PETITION NO.1449 OF 2026

BALAJI DINKAR RAKTATE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. S.G. Rudrawar, Advocate for petitioner

Mr. V.M. Kagne, AGP for respondent Nos.1 to 3

...

CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 06th MARCH, 2026

ORDER :

. Present petition has been filed for following reliefs :

“(C) By a writ of certiorari or any other appropriate writ / order or directions, impugned order / communication dated 25.06.2025 issued by respondent No.2 thereby refusing the approval to the transfer of petitioner as a full time Assistant Teacher in English subject on the vacant post from partially aided to fully aided post, be quashed and set aside.

(D) By a writ of mandamus or any other appropriate writ / order or directions, respondent No.2 be directed to grant an approval to the

transfer of petitioner as a Full time Assistant Teacher in English subject in respondent No.5 school from partially aided post to fully aided post, as per the orders dated 05.06.2022 and as per the proposal submitted by respondent No.5 dated 29.05.2025 and subsequent proposal after complying the queries dated 16.06.2025 and release his regular monthly salary and including the arrears of salary and for that purpose necessary orders be passed.”

2 Learned Advocate for petitioner submits that the proposal along with letter dated 20.02.2026 is still pending before the concerned authority and, therefore, the authority be directed to decide the same.

3 The proposal appears to have been submitted by Education institution where the petitioner is serving on 29.05.2025 transferring the petitioner from part time in partially aided to Full time fully aided. That was returned along with letter dated 06.06.2025 by respondent No.2 as there were defects. Those defects are stated to have been cured by communication dated 16.06.2025. Again by letter dated 25.06.2025 some queries were again raised which are then cured through letter dated 05.01.2026 and 20.02.2026.

4 Learned AGP submits that now the powers to decide such proposals lies with Commissioner (Education), Pune and the Government has issued directions that all the pending proposals should also be decided by the

Commissioner (Education), Pune.

5 Though Commissioner (Education), Pune is not a party to the proceedings, yet, since the proposal is pending, we **dispose of** the petition by directing him to call the papers in respect of petitioner from respondent No.2 i.e. Deputy Director of Education, Latur Region, Latur, within a period of 15 days and then take decision upon the same within a period of one month thereafter.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

agd