



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10445 OF 2025

MAHADEVI VAIJNATH PATNE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Abhijit G. Choudhari, Advocate for the Petitioner

Mr. S. P. Sonpawale, AGP for Respondent/State

Mr. Vijay V. Deshmukh, Advocate for Respondent Nos.3 & 4

...

**CORAM : NITIN B. SURYAWANSHI AND
ABASAHEB D. SHINDE, JJ.**

DATE : 10th JUNE, 2026

PER COURT :

1. This petition is filed seeking following relief,

“(b) For quashed and set aside the order impugned dated 05/08/2025 passed by the Deputy Director of Education, Latur and approval may kindly be granted to the present petitioner at transferred from non aided to aided post as Assistant Teacher and release her salary from the date of its transfer for that purpose issue necessary orders.”

2. Heard learned advocate for petitioner, learned AGP for respondents/State and learned advocate for respondent Nos.3 & 4.

3. Learned advocate for petitioner has relied on the order dated 03/02/2025, passed by the Coordinate Bench of this Court in Writ Petition No.1021/2025, wherein it is observed that,

“6. Be that as it may, as has been held in Friends Social Circle (supra), till the time the legislature comes out with

an amendment to Rule 41-A, the respondents cannot be allowed to seat over the proposal for grant of approval to the petitioner's transfer by referring to the GR dated 29.04.2024 or even a subsequent circular dated 03.10.2024.

7. The writ petition is allowed. Respondent No.3 is directed to consider and decide the petitioner's proposal dated 31.07.2024 in accordance with Rule 41 and 41-A of the MEPS Rules, 1981, as expeditiously as possible and in any case within 4 weeks, without referring to the Government Resolutions dated 29.04.2024 and 03.10.2024."

4. By the impugned order dated 05/08/2025, respondent No.2 has pointed out three deficiencies in the proposal of the petitioner.

5. In the light of the above, writ petition is disposed of by directing respondent No.3 to remove deficiencies and submit fresh proposal of the petitioner to respondent No.2, within a period of four weeks from today. On receipt of said proposal respondent No.2 shall decide the same in accordance with Rule 41 and 41-A of the MEPS Rules, 1981, as expeditiously as possible and in any case within four weeks, without referring to the Government Resolutions dated 29/04/2024 and 03/10/2024.

(ABASAHEB D. SHINDE, J.)

(NITIN B. SURYAWANSHI, J.)