



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

WRIT PETITION NO. 10840 OF 2025

**MANESH BHAUSAHEB KHARAT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS**

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Advocate for the Petitioner : Ms. Jadhav Aummaheshwari S.

AGP for Respondents: Mr. V.M. Jaware

Advocate for Respondents No.4 and 7 : Mr. S.B. Pulkundwar

Advocate for Respondent No.5 : Mr. Suhas R. Shirsat

Advocate for Respondent No.6 : Mr. V.P. Narwade h/f.

Adv. Manjushri V. Narwade

Advocate for Respondent No.8: Mr. Umesh B. Godse h/f. Mr. A.R. Nikam

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**CORAM : SANDIPKUMAR C. MORE &
ABASAHEB D. SHINDE, JJ.**

DATE : 12.01.2026

PER COURT:

1. Heard.
2. By this writ petition, the petitioners who are working under different Zilla Parishads are before this Court challenging the transfer list published by the respondent No.8 – Zilla Parishad herein. The petitioners are also aggrieved with the said transfer process as the petitioners apprehend that by virtue of the transfer process undertaken by respondents No.2 to 8, the petitioners would be unnecessarily treated as surplus and would be transferred though

their normal tenure of service would not be completed. The petitioners by relying on chart incorporated in the writ petition submits that as against the vacant posts available, more teachers are tried to be transferred to their respective schools as a result of which the petitioners would be declared as senior most and consequently declaring them surplus they would be transferred even before completing their normal tenure of service.

3. Learned counsel appearing for respondent – Zilla Parishad, submits that by virtue of Government Resolution dated 18.06.2024, if the petitioners are aggrieved by any irregularity in the process of transfer being undertaken, the petitioners have alternate remedy to approach the Committee constituted under the said Government Resolution. He, however, submits that the entire process of transfer undertaken by virtue of said Government Resolution has been stayed under the orders of Commissioner of Education dated 29.11.2025 and as such the learned counsel for the respondent – Zilla Parishad submits that as no step for transferring the surplus teachers is undertaken presently, therefore, there is no immediate apprehension as expressed by the petitioners.

4. Learned counsel for the petitioners on the other hand submits that though the petitioners have made comprehensive

representations to the respective Education Officers of respondents No.2 to 8 – Zilla Parishad, making grievance which is made in the writ petition in the month of August 2025, however, their representations have been kept pending without deciding the same. Learned counsel for the petitioners has invited our attention to the said representations which are annexed from pages 273 to 304 of the writ petition.

5. Considering the fact that now the process of transfer as well as absorption of surplus teachers itself has been stayed under the order of Commissioner of Education vide order dated 29.11.2025, we direct the respective Education Officers of respondents No.2 to 8 to decide the representations of the petitioners as referred above, as expeditiously as possible and, in any case within a period of four (4) weeks from today on its own merits and in accordance with law. In case the decision is adverse to the petitioners, in that case, the petitioners will be at liberty to resort to appropriate remedy as may be permissible in law. With these directions the writ petition stands disposed of.

(ABASAHEB D. SHINDE, J.)

(SANDIPKUMAR C. MORE, J.)