



{1}

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

904 WRIT PETITION NO. 11079 OF 2025

WITH

CA/10909/2025 IN WP/11079/2025

Raosaheb Balaji Jadhav And Another

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 11052 OF 2025

Samdani Chandsab Shaikh And Others

VERSUS

The State Of Maharashtra Through Principle Secretary And Others

WITH

WRIT PETITION NO. 11053 OF 2025

Ramesh Shivaji Pawar And Others

VERSUS

The State Of Maharashtra Through Principle Secretary And Others

AND

905 WRIT PETITION NO. 11095 OF 2025

Smita Asaram Waghmare

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

906 WRIT PETITION NO. 11123 OF 2025

Urmila Shankarrao Bade And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

907 WRIT PETITION NO. 11124 OF 2025

Manisha Baburao Yadav And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

{2}

908 WRIT PETITION NO. 11275 OF 2025

Shantilal Devsing Rathod And Others

VERSUS

State Of Maharashtra Through Its Secretary And Others

AND

909 WRIT PETITION NO. 11319 OF 2025

Rustum Dasrao Rathod And Others

VERSUS

The State Of Maharashtra Through Principal Secretary And Others

AND

910 WRIT PETITION NO. 11322 OF 2025

Jyoti Kisanrao Bagulwad And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

911 WRIT PETITION NO. 11453 OF 2025

Alaknanda Maruti Nagargoje

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

912 WRIT PETITION NO. 11455 OF 2025

Chhaya Shamrao Nikam And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

934 WRIT PETITION NO. 524 OF 2026

Deepali Ramesh Jadhav

VERSUS

State Of Maharashtra Through Its Secretary And Others

AND

WRIT PETITION NO. 11125 OF 2025

Smt. Jayshri Machhindra Darkunde and Another

VERSUS

State Of Maharashtra Through Its Secretary And Others

{3}

AND

WRIT PETITION NO. 11959 OF 2025

Syed Abdul Hafiz Zafar Ali

VERSUS

State Of Maharashtra Through Its Secretary And Others

AND

WRIT PETITION NO. 11099 OF 2025

Bharti Ravindra Kapare and Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

WRIT PETITION NO. 10797 OF 2025

Tarachand Laxman Parande and Others

VERSUS

State Of Maharashtra Through Its Secretary And Others

AND

WRIT PETITION NO. 11537 OF 2025

Swati Madhukar Zaware and Others

VERSUS

State Of Maharashtra Through Its Secretary And Others

.....

Mr. E.S. Murge, Advocate for Petitioners in WP/11079/2025

Mr. Ramrao D. Biradar, Advocate for Petitioners in WP/11052/2025, WP/11053/2025, WP/11319/2025

Mr.Sambhaji G. Munde, Advocate for Petitioner in WP/11095/2025, WP/11123/2025, WP/11124/2025, WP/11322/2025, WP/11453/2025

Mr. Nitin K. Chaudhari, Advocate for Petitioners in WP/11455/2025

Mr. Arvind G. Ambetkar, Advocate for Petitioners in WP/11275/2025, WP/524/2026, WP/11125/2025, WP/11959/2025, WP/11099/2025, WP/10797/2025, WP/11537/2025

Mr. S.B. Pulkundwar, Advocate for Respondents No.3 & 4 in WP/11079/2025, 11052/2025, WP/11053/2025, WP/11319/2025

Mr. P.R.Nagare, Advocate for Respondents No.3 and 4 in WP/11095/2025, 11123/2025, WP/11124/2025, WP/11322/2025

Mr. S.R. Dheple, Advocate for Respondents No.3 to 5 in WP/11455/2025 and for Respondents No.4 and 5 in WP/11275/2025, 11659/2025

{4}

Ms. M.V. Narwade, Advocate for Respondents No.4 and 5 IN WP/524/2026 and for Respondents No.4 and 5 in WP/11125/2025, WP/11099/2025, WP/10797/2025

Ms. Sheetal V. Salunke, Advocate for Respondents No.4 and 5 in WP/11537/2025

Ms. Neha B. Kamble, AGP for Respondents-State in WP/11079/2025, WP/11052/2025, WP/11053/2025, WP/11123/2025, WP/11124/2025, 11125/2025

Mr. V.M. Kagne, AGP for Respondents-State in WP/11095/2025, WP/11052/2025, WP/11053/2025, WP/11455/2025, WP/11099/2025

Mr. R.S. Wani, AGP for Respondents-State in WP/11275/2025

Mr. S.B. Narwade, AGP for Respondents-State in WP/11319/2025, WP/524/2026, WP/10797/2025

Mr. Abhijit M. Phule, AGP for Respondents-State in WP/11322/2025, WP/11959/2025

Mr. S.B. Pulkundwar, AGP for Respondents-State in WP/11453/2025

Mr. S.K. Tambe, Addl. GP For Respondents-State in WP/11537/2025

.....

**CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 17 MARCH, 2026

PER COURT :-

1. Writ Petition No.11125/2025, WP/11959/2025, 11099/2025, WP/10797/2025 AND WP/11537/2025 are not on board. Upon mentioning those matters are taken on board.

2. Heard the learned advocate for the appearing for the petitioners, the learned AGPs for the State, and the learned advocate for the respondents in the respective petitions.

3. Learned Advocates for the petitioners place reliance on the order passed at the Principal Seat in *Maharashtra Rajya Shikshak Parishad, Prathamik Vibhag vs. The State of Maharashtra & Ors.* (Writ Petition

{5}

No. 11788 of 2025 with companion matters, decided on 23.09.2025). Note was taken of the fact that those petitioners, as well as some similarly situated petitioners, had approached the Nagpur Bench, this Bench and the Circuit Bench at Kolhapur of this Court and, in some matters, taking into consideration the fact that there were mid-term transfers, some interim orders were passed. Thereafter, taking into consideration the submissions made on behalf of the Government as well as the advocate representing the different Zilla Parishads, note regarding effecting transfers of teachers throughout the State was taken. It has been noted that the data of lakhs of teachers is collected by various Zilla Parishads and that the said data is fed into the Teacher Transfer Management System (TIMS), which is a system operated by the Rural Development Department of the Government of Maharashtra. This system considers various categories of employees who are liable to be transferred. Then, it was submitted that the entire system of Annual General Transfers (AGT) operates like a chain, and those liable to be transferred move out of their seats and proceed to the posts where they have been posted, and another person occupies the said transferred seat. The said transfer orders have created problems, as the teachers whose transfers have been stayed would remain there itself, while the persons transferred to their places would have either been relieved or would be expecting to be relieved. Thereafter, the Coordinate Bench has

{6}

taken note of the Government Resolution dated 18.06.2024, more particularly the clauses pertaining to how a transfer should be effected, the categories in which it can be effected, as well as how the grievance of a transferee can be considered. Those provisions were considered. Thereafter, it was noted that all the petitioners before the Court showed their agreement to move their individual applications to the Chief Executive Officer (CEO) of the respective Zilla Parishads within a particular period in terms of Clause No. 5.10.1. It was then directed that the CEO would consider the record and take a decision in each case within a period of 30 days, and thereafter, by giving such directions, those petitions were disposed of.

4. Here also, status quo was granted in respect of the transfers of the petitioners, and therefore we are also taking note of Clause Nos. 5.10.1, 5.10.2, 5.10.3 and 5.10.4 of the Government Resolution dated 18.06.2024. We are not taking a view different from that taken by the Coordinate Bench when the mechanism is provided. We had adjourned the matters yesterday to make it convenient for the learned advocates for the petitioners to take instructions from the petitioners as to whether they agree to avail the couple convenience provided policy in the said Government Resolution itself.

{7}

5. In view of all these aspects and the facts, we also make it clear that, similar to the Coordinate Bench, we are not expecting the CEO to write a lengthy order, but the order should reflect that he has analysed the record and the material in respect of each petitioner. However, if any teacher/petitioner is aggrieved, he/she can avail of the remedy under Clause No. 5.10.2. Since paragraph No. 10 of the said order already gives directions to the Principal Secretary, Rural Development Department, we need not issue similar directions once again.

6. In view of the above, we dispose of all the writ petitions with the following directions:

- a) The aggrieved petitioner would follow the procedure in Clause No.5.10.1 and make an application to the CEO of the respective Zilla Parishads, within a period of seven working days from today.
- b) The concerned CEO would verify from the data available and write a concise order if the application has to be rejected.
- c) Any teacher aggrieved by the order of the CEO would be at liberty to strictly follow Clause No.5.10.2 of the Government Resolution dated 18.06.2024. The further process shall be governed by the other clauses of the said Government Resolution.

{8}

- d) Until the CEO decides the representation, the order passed earlier that the petitioner should not be relieved, would continue to protect such petitioner, till the decision of the CEO.
 - e) The concerned CEO should try to follow the Government Resolution dated 18.06.2024, as far as possible.
- 7) In view of the disposal of the Writ Petitions, pending applications, if any, also stand disposed of

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane