



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO.12229 OF 2025

Durga Gorakshanath Mutkule

.. Petitioner

VERSUS

1. State Of Maharashtra
Through Its Secretary,
School Education Department,
Mantralaya, Mumbai-32.
2. The Secretary,
Rural Development Department,
Mantralaya, Mumbai-32.
3. The Divisionl Commissioner,
Nashik Region, Nashik.
4. The Chief Executive Officer,
Zilla Parishad, Ahilyanagar,
Dist. Ahilyanagar.
5. The Education Officer (Primary),
Zilla Parishad, Ahilyanagar,
Dist. Ahilyanagar.

.. Respondents

...

Mr. Arvind G. Ambetkar, Advocate for the Petitioner.

Mr. V. M. Kagne, AGP for Respondent Nos.1 to 3/State.

Ms. Sheetal V. Salunke, Advocate for Respondent Nos.4 and 5.

...

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

DATE : 11 MARCH 2026

ORDER :

. Present petition has been filed for quashing and setting aside the transfer of the petitioner by order dated 21.08.2025 wherein the petitioner has been transferred at a place which is more than 78 kilometers away from her native place and in difficult area. The petitioner also submits that thereafter she had made the representation to respondent No.4 explaining her difficulties and the said representation has not been yet decided.

2. Heard learned Advocate Mr. A. G. Ambetkar for the petitioner, learned AGP Mr. V. M. Kagne for respondent Nos.1 to 3/State and learned Advocate Ms. Sheetal V. Salunke for respondent Nos.4 and 5.

3. Learned Advocate for the petitioner submits that the petitioner has been transferred mid term, which is against the policy and the Government Resolution dated 18.06.2024 and, therefore, the petitioner is aggrieved by the transfer order.

4. Learned Advocate for respondent Nos.4 and 5 submits that the process for transfers for the upcoming academic year would start and in that process the petitioner can take part.

5. It appears that as a policy in Government Resolution dated

18.06.2024, it has been stated that the mid term transfers should be avoided. Certainly, respondent No.4 is required to consider the Government Resolution and the guidelines issued therein should be implemented. However, at the same time, there might be certain situations, which could require even mid term transfers to be made. Therefore, we do not want to go into the merits of the matter. We dispose of the writ petition by directing respondent No.4 to consider the representation of the petitioner as well as the fact that if there are vacancies available as per the Government Resolution, then the petitioner's name be considered for such transfer and the appropriate action be taken before 31.05.2026.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm