



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

16 WRIT PETITION NO.14862 OF 2025

Swati Baburao Dande

VERSUS

The State Of Maharashtra And Others

...

Ms. Pooja Apache h/f Mr. R. D. Biradar, Advocate for the Petitioner.

Mr. V. M. Kagne, AGP for Respondents/State.

...

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

DATE : 02 FEBRUARY 2026

ORDER :

. Present petition has been filed for quashing and setting aside the transfer and relieving order dated 22.08.2025 issued by respondent No.3, which is stated to be in violation of norms/parameters laid down in Government policy in Government Resolution dated 18.06.2024 and to direct respondent Nos.3 and 4 to decide the representation dated 11.11.2025.

2. Heard learned Advocate Ms. Pooja Apache holding for learned Advocate Mr. R. D. Biradar for the petitioner.

3. The petitioner was working at Zilla Parishad Primary School, Dongraj Chakur, Taluka and District Latur. She states that her husband is working at Sangram Smarak Vidyalaya, Udgir, District Latur. Now, by transfer order dated 22.08.2025, the petitioner has been transferred to Helamb, Taluka Deoni, District Latur. According to the petitioner, by virtue of Government Resolution dated 07.04.2021 and 18.06.2024, when the husband and wife both are teachers and one may not be the Zilla Parishad Employee, yet the Zilla Parishad employee teacher has to be placed within the radius of 30 kilometers from the place of service of her or his spouse. According to the petitioner, the distance between the place where she has been posted and the place where her husband is working is 42 kilometers and, therefore, it is in violation of those Government Resolutions. Hence, this petition.

4. The first and the foremost fact that is required to be noted is that as the petitioner was eligible for transfer, as she had served the mandatory period at her earlier place, she has been transferred. She has not stated as to whether when she was required to give options, when online information was supplied; she had given the option of Zilla Parishad Primary School, Helamb, Taluka Deoni, District Latur. But the impugned order dated 22.08.2025 specifically mentions that she had given the option of Zilla Parishad Primary School, Helamb, Taluka Deoni,

District Latur. Thus, her transfer is at a place of her choice and therefore, now she cannot say that the said place is inconvenient to her. Secondly, she has not given as to whether now there is a vacancy within the radius of 30 kilometers from Udgir, where her husband is serving and, therefore, we do not find any merit in the present petition. Hence, the writ petition stands **dismissed**, however, if at all, there would be a vacancy that will arise in future within the radius of 30 kilometers from Udgir, then she would be at liberty to make representation to respondent No.3.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm