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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 WRIT PETITION NO. 2490 OF 2026

Shrutika Pradip Shivgunde

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

37 WRIT PETITION NO. 2506 OF 2026

Vaishali Bhausaheb Kharmale

VERSUS

The State Of Maharashtra Through The Secretary And Others

.....

Mr. Balaji S. Shinde, Advocate for Petitioners in Both WPs

Ms. R.P. Gaur, AGP for Respondents No.1 and 2

Ms. Manjushri V. Narwade, Advocate for Respondents No.3 and 4

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

DATE : 9 MARCH, 2026

PER COURT :-

1. Heard the learned advocate for the petitioners, the learned AGP waives for respondents No.1 and 2 and learned advocate Ms. Manjushri V. Narwade waives for respondents No.3 and 4.

2. Learned Advocate Ms. Narwade for respondents No. 3 and 4 has placed on record the order passed at the Principal Seat in *Maharashtra Rajya Shikshak Parishad, Prathamik Vibhag vs. The State of Maharashtra & Ors.* (Writ Petition No. 11788 of 2025 with companion matters, decided on 23.09.2025). Note was taken of the fact that those

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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 taken note of the Government Resolution dated 18.06.2024, more particularly the clauses pertaining

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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. 5010.1. 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.

3. Here also, we take 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. Learned advocate for the petitioners, upon taking instructions from the petitioners, submits that the present petitioners agree to avail the couple convenience policy provided in the said Government Resolution.

4. 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

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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.

5. 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) If the petitioners are 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.
- d) The concerned CEO should try to follow the Government Resolution dated 18.06.2024, as far as possible.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE