

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.950 OF 2026

Poonam Arjun Pathade

....Petitioner

Versus

Zilla Parishad, Nashik

through Chief Executive Officer & Ors.

....Respondents

Mr. Anilkumar Patil i/b. Mr. Digvijay Patil, for the Petitioner.

Mr. Ashwin Kapadnis, for Respondent Nos.1 to 5.

Mr. P. P. Kakade, Addl. G.P. a/w. Ms. Pooja Joshi Deshpande, for Respondent No.6.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 10th MARCH, 2026

P.C. :

1. The Petitioner joined employment as an Assistant Teacher in 2011 and for 15 years, she has been a Primary School Teacher at Gonde, Taluka-Sinnar, District- Nashik. Her husband is in private employment with an industry in Nashik. Her two daughters reside with her husband. The paternal grandparents of the daughters are also residing in the same house at Nashik.

2. After 15 years, under the Teacher Transfer Management

System, which is a software developed for the Government of Maharashtra through the Rural Development Department, the Petitioner was called upon to give 30 options. By order dated 21st August, 2025, she was transferred for the first time in 15 years, to the Zilla Parishad Primary School at Asarkhede, Taluka-Chandwad, which is around 70 k.m. from Nashik. Gonde to Nashik via Sinnar is around 45 k.m..

3. The Petitioner is not covered by any of the clauses of the transfer policy Government Resolution (“**G.R.**”) dated 18th June, 2024. So also, since the Petitioner’s husband is neither a Zilla Parishad employee nor employee of the State Government, the Couple Convenience Clause 1.9.6 also does not assist her. She travels 70 k.m. from Nashik to reach the school, after she is transferred for the first time in 15 years.

4. It is contended that in 2011, the Petitioner had a health issue with regard to an enlarged right ovary. The Medical Report dated 28th December, 2011 indicates that rest of the parameters were normal. Subsequently, she has undergone removal of one ovary. The daughters were born thereafter.

5. Learned Advocate Shri Kapadnis is on the panel of the Nashik Zilla Parishad. We requested him to assist the Court. On our request he has appeared in the matter.

6. In view of the above, this Court cannot issue a Writ of Mandamus under Article 226 of the Constitution of India to transfer the Petitioner to another place which is close by, keeping in view that she is not covered by the G.R. dated 18th June, 2024, in as much as, she became eligible to be transferred after more than 14 years of her employment at one place through the Teacher Transfer Management System. With the introduction of the said system, there is no human interference or indulgence in transferring any candidate.

7. As such, **this Petition is dismissed.**

8. Since the Petitioner has prayed for sympathy, without expressing an opinion with regard to her request for transfer, if the Zilla Parishad comes out with a policy for accommodating such candidates, if it is feasible and if it does not interfere in the Teacher Transfer Management System, the Zilla Parishad may deal with the

case of the Petitioner. However, the rejection of her request will not give rise to a fresh cause of action to challenge such rejection.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)

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