



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 7287 OF 2024

- PETITIONERS :**
- 1) Sangita Rajendra Hole, aged about 52 years, Occu.: Service, R/o. Bhagwan Nagar, Amravati.
 - 2) Shubhangi Nandkishor Dindokar. aged about 49 years, Occu.: Service, R/o. Chhabda Plot, Rukhmini Nagar, Amravati.
 - 3) Pratibha Pravin Pawar, aged about 49 years, Occu.: Service, R/o. New Chhagani Nagar, Amravati.
 - 4) Ashish S/o. Annaji Pawade, aged about 48 years, Occu.: Service. R/o. Ward No.1, Palaswada, Tq.Warud Distt. Amravati.
 - 5) Milind S/o. Pundlikrao Warkhedkar, aged about 52 years, Occu.: Service, R/o. Ward No.9, Mahatma Fule Nagar, Warud, Tq. Warud Distt. Amravati.
 - 6) Meena Milind Warkhedkar, aged about 52 years, Occu.: Service, R/o. Ward No.9, Mahatma Fule Nagar, Warud, Tq. Warud Distt. Amravati.
 - Deleted as per Court order dated 23.04.25 7) ~~Mahendra S/o. Bhauraoji Kale, aged about 50 years, Occu.: Service, R/o. At Post Shendurjana Ghat, Tq. Warud Distt. Amravati.~~
 - 8) Minal Prashant Deshmukh, aged about 52 years, Occu.: Service, R/o. Sitaram Baba Colony, Sai Nagar, Amravati.
 - 9) Prabha Sanjay Magarde, aged about 49 years, Occu.: Service, R/o. Pushpraj Colony, Sai Nagar, Amravati.

- 10) Prakash S/o. Narayanrao Ramteke, aged about 49 years, Occu.: Service, R/o. Anand Niketan Colony, Rukhmini Nagar, Amravati.
- 11) Jaya Bhagwanji Gawai, aged about 45 years, Occu.: Service, R/o. Arogya Sewa Colony, Rahatgaon Chowki, Amravati.
- 12) Satish S/o. Namdeorao Dhage, aged about 48 years, Occu.: Service, R/o. Vidarbha Colony, Morshi, Tq. Morshi Distt. Amravati.
- 13) Shilpa Sudhakarrao Belsare, aged about 46 years, Occu.: Service, R/o. Suraj Colony, V.M.V, Amravati.
- 14) Randhir S/o. Arvindrao Wankhade, aged about 47 years, Occu.: Service, R/o. Ward No.1, Ittamgaon, Tq. Warud Distt. Amravati.
- 15) Pramod S/o. Vitthalrao Chopade, aged about 48 years, Occu.: Service, R/o. At Post Dahigaon, Tq. Nandgaon Khandeshwar Distt. Amravati.
- 16) Jaya Devendra Sonparate @ Jaya Jayantrao Sonkusale, aged about 47 years, Occu.: Service, R/o. Ward no.9, Sai Baba Colony, Warud, Tq. Warud Distt. Amravati.
- 17) Archana Shivshankar Gorle, aged about 43 years, Occu.: Service, R/o. Ward no.10, Govind Vihar, Warud, Tq. Warud Distt. Amravati.
- 18) ~~Sandip Prabhakarrao Zade, aged about 48 years, Occu.: Service, R/o. Sai Nagar, Amravati.~~
- 19) Vaishali Bajirao Nandane, aged about 38 years, Occu.: Service, R/o. Civil Lines, Daryapur, Tq. Daryapur Distt. Amravati.
- 20) Avinash S/o. Rangnathrao Adhao, aged

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Court order dated
23.04.25.

about 46 years, Occu.: Service, R/o. Santabai Yadav Nagar, Chandur Railway, Distt. Amravati.

- 21) Gajanan S/o. Shriramji Bijwe, aged about 51 years, Occu.: Service, R/o. Ward no.2, Laxmi Vihar, Jarud, Tq. Warud Distt. Amravati.
- 22) Vijay S/o. Ramchanraji Tiwaskar, aged about 51 years, Occu.: Service, R/o. Ward no.1, Vijay Nagar, Warud, Tq. Warud Distt. Amravati.
- 23) Mangesh S/o. Arunrao Kherde, aged about 48 years, Occu.: Service, R/o. Suraj Colony, V.M.V, Amravati.
- 24) Ujwal Arvindkumar Raut @ Ujwal Santosh Raut, aged about 52 years, Occu.: Service, R/o. Balaji Colony, Kandali, Amravati.
- 25) Ashish S/o. Damodhar Sapdhare, aged about 41 years, Occu.: Service, R/o. Ward no.3, Nerpinglai Tq. Morshi Distt. Amravati.
- 26) Vinod Mahadevrao Khakase, aged about 51 years, Occn.: Service, R/o. Uttam Nagar, Amravati.
- 27) Malini Pandurang Chandurkar @ Malini Gajendra Wankhede, aged about 51 years, Occu.: Service, R/o. Gajanan Township No.2, Camp, Amravati.
- 28) Seema Sukhdeo Jadhao, aged about 51 years, Occu.: Service, R/o. Minakshi Colony, Camp, Amravati.
- 29) Snehal Gajanan Kalambe, aged about 51 years, Occu.: Service, R/o. Vidyut Nagar, V.M.V Amravati.
- 30) Rameshwar S/o. Shivram Athavale, aged

- about 52 years, Occu.: Service, R/o. At Post Jawla, Tq. Chandur Bazaar, Distt. Amravati.
- 31) Vandana Dhanraj Kuche, aged about 52 years, Occu.: Service, R/o. Samarpan Colony, V.M.V, Amravati.
 - 32) Usha Gajananrao Sonone, aged about 50 years, Occu.: Service, R/o. Vidyanketan Colony, Shivaji Nagar, Amravati.
 - 33) Ajay S/o. Ramdas pant Malpe, aged about 51 years, Occu.: Service, R/o. Shikshak Colony, Ambada, Tq. Morshi Distt. Amravati.
 - 34) Khushal S/o. Ukandrao Nerkar, aged about 51 years, Occu.: Service, R/o. Prabhag No.1, Vrundawan Nagar, Warud, Tq. Warud Distt. Amravati.
 - 35) Ashwini Nagorao Chambhare, aged about 45 years, Occu.: Service, R/o, Ward No.11, Rashtrasant Colony, Warud, Tq. Warud Distt. Amravati.
 - 36) Sanju Onkarrao Chokhandre @Sanju Prakash Ramteke, aged about 47 years, Occu.: Service, R/o. Anand Niketan Colony, Rukhmini Nagar, Amravati.
 - 37) Dhanraj S/o. Kisan Kunjekar, aged about 51 years, Occu.: Service, R/o. Aditya Nagar, Amravati.
 - 38) Narendra S/o. Shamraoji Farkase, aged about 51 years, Occu.: Service, R/o. Ward No.1, Jalalkheda, Tq. Narkhed, Distt. Nagpur.
 - 39) Smita Madhaorao Jadhao @ Smita Vilas Kadam, aged about 45 years, Occu.: Service, R/o. Godawari Colony, Rukhmini Nagar, Amravati.

- 40) Bharti Bhimrao Mahure, aged about 50 years, Occu.: Service, R/o. New Rahatgaon, Shivaji Nagar, Amravati.
- 41) Pallavi Arun Deulkar, aged about 50 years, Occu.: Service, R/o. Bhagwan Nagar, Amravati.
- 42) Suryakanta Pandurang Balsaraf, aged about 51 years, Occu.: Service, R/o. Shrihari Nagar, Amravati.
- 43) Meena Shriramji Kumare, aged about 50 years, Occu.: Service, R/o. New Rahatgaon, Shivaji Nagar, Amravati.
- 44) Vaishali Bhujangrao Diwan, aged about 48 years, Occu.: Service, R/o. Flat no. 401, Mahalaxmi Apartment, Hollywood Colony, V.M.V, Amravati.
- 45) Vrushali Prashant Fuse, aged about 43 years, Occu.: Service, R/o. Ward No.4, Jarud Tq. Warud Distt. Amravati.
- 46) ~~Dinesh S/o. Rambhau Bhagwat, aged about 47 years, Occu.: Service, R/o. At Post Mauli Jahagir, Fq. and Distt. Amravati.~~
- 47) Gitanjali Khushal Nerkar, aged about 45 years, Occu.: Service, R/o. Prabhag No.1, Pandurna Chowk, Warud Tq. Warud Distt. Amravati.
- 48) Kavita Narendra Farkase, aged about 46 years, Occu.: Service, R/o. Ward No.1, Jalalkheda, Tq. Narkhed, Distt. Nagpur.
- 49) Bharti Sunil Kase, aged about 45 years, Occu.: Service, R/o. Bhumi Putra Colony, Rukhmini Nagar, Amravati.
- 50) Sheetal Shrikrushna Lahore @ Sheetal Umesh Lunge, aged about 45 years. Occu.: Service, R/o. Ward no.14, Near Gajanan

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Court order dated
30.07.25.

Mandir, Warud Tq. Warud Distt. Amravati.

- 51) Sangita Wamanrao Barwad, aged about 44 years, Occu.: Service, R/o. Indira Chowk, Warud, Tq. Warud Distt. Amravati.
- 52) Swapnali Pramod Kharchan, aged about 42 years, Occu.: Service, R/o. Maharshi Valmiki Chowk, Bhatkuli, Tq. Bhatkuli Distt. Amravati.
- 53) Anjali Sureshrao Pote @ Anjali Pankajrao Chafale, aged about 37 years, Occu.: Service, R/o. Ward no.3, Shingori Tq. Warud Distt. Amravati.
- 54) Pranali Rameshrao Kakde, aged about 37 years, Occu.: Service, R/o. at Post, Ridhora Tq. Katol Distt. Nagpur.
- 55) Ranjana Manikrao Kadu, aged about 52 years, Occu.: Service, R/o. Ward No.1, Vijay Nagar, Warud Tq. Warud Distt. Amravati.

-Versus-

- RESPONDENTS :**
- 1) The State of Maharashtra, through Principal Secretary, Department of Rural Development, Mantralaya, Mumbai-32.
 - 2) The Zilla Parishad Amravati, through its Chief Executive Officer, Camp Area, Amravati-444602.
 - 3) The Education Officer (Primary), Zilla Parishad Amravati.

Shri Firdos Mirza, Sr. Adv. a/b Ms Isha D. Thakare,
Adv. for the petitioners.
Mr.N.R.Patil, AGP for the respondent-State.
Mr.S.S.Shinde, Adv.for the respondent Nos.2 and 3.

WRIT PETITION NO. 2289 OF 2025

- PETITIONERS :**
- 1) Ku. Jyoti Mahadevrao Bhatkar, Age:- 44 years, Occ.- Service, R/o. New Kalyani Nagar, Near Navjivan Colony, Opp. Shiv Temple, Kathora Road, VMV, Amravati, Tq. and Dist. Amravati.
 - 2) Ku. Anita Digambrrao Ingole, Age :- 52 years, Occ. Service, R/o. ITI Nagar, Near Saroj Colony, Behind Sadguru Coaching Classes, Amravati, Tq. and Dist. Amravati.
 - 3) Sau. Kalpana Surendra Deshmukh, Age: 53 years, Occ. Service, R/o. Shri Gajanan Township No.1, House No.193, Po. Rahatgaon, Amravati, Tq. and Dist. Amravati.
 - 4) Ku. Mangala Narayanrao Bhoyar, Age:- 53 years, Occ. Service, R/o. Pote Township, Kathora Naka, Amravati, Tq. & Dist. Amravati.
 - 5) Ku. Sandhya Gulabrao Sonkusare, Age: 45 years, Occ. Service, R/o. C/o. Mahendra Namdevrao Kolhe, Vinayak Nagar, Behind Radha Nagar, Amravati, Tq. & Dist. Amravati.
 - 6) Ku. Nisha Pandurang Ingale, Age:- 47 years, Occ. Service, R/o. At. Po. Dahigaon, Tq. Nandgaon Khandeshwar, Dist. Amravati.
 - 7) Sangita Deoman Gawai, Age:- 52 years, Occ. Service, R/o. New Hanuman Nagar, Near Pathyapustak Mandal, Amravati, Tq. and Dist. Amravati.

-Versus-

- RESPONDENTS** :
- 1) State of Maharashtra, through its Secretary, Department of Rural Development, Mantralaya, Mumbai-32.
 - 2) Zilla Parishad Amravati, through its Chief Executive Officer, Camp Area, Amravati, Tq.and Dist.Amravati.
 - 3) The Education Officer (Primary), Zilla Parishad Amravati, Camp, Amravati, Tq.and Dist. Amravati.

Shri P. A. Kadu, Adv. for the petitioners.
Mr.N.R.Patil, AGP for the respondent-State.
Mr.S.S.Shinde, Adv.for the respondent Nos.2 and 3.

WRIT PETITION NO. 7486 OF 2024

- PETITIONERS** :
- 1) Uttam Ramdas Chunkikar, Aged 53 years, Occ.: Service, R/o. Ayodhya Vihar, Near Ravi Karan Colony, Amravati, Tq. and Dist. Amravati.
 - 2) Anil Ramchandra Kale, Aged 53 years, Occ.Service, R/o. Sai Nagar, Ashadip Colony, Daryapur, Tq.Daryapur, Dist. Amravati.

-Versus-

- RESPONDENTS** :
- 1) State of Maharashtra, through its Secretary, Ministry of Rural Development, Mantralaya, Mumbai-32.
 - 2) Zilla Parishad Amravati, Through its Chief Executive Officer, R/o. Tq. and Dist.Amravati.
 - 3) Education Officer (Primary), Zilla

Parishad Amravati, Tq. and Dist.
Amravati.

- 4) M/s. Vincees Software Co.Ltd., Pune Tq.
& Dist. Pune.

Shri S. M. Vaishnav, Adv. for the petitioners.
Mr.N.R.Patil, AGP for the respondent-State.
Mr.S.S.Shinde, Adv.for the respondent Nos.2 and 3.

**CORAM: SMT. M. S. JAWALKAR &
NANDESH S. DESHPANDE, JJ.**

**CLOSED ON : 9TH JANUARY, 2026
PRONOUNCED ON : 16TH JANUARY, 2026**

J U D G M E N T (Per : Smt. M. S. Jawalkar, J.)

Heard. Since issue involved in these petitions is common and since the parties are the same, they are decided by this common judgment.

2. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.

3. By these petitions, the petitioners, who are the employees of the Zilla Parishad Amravati, challenge the transfer orders dated 31/12/2024. However, in view of the *status quo* order, they are working at their original place and post. The petitioners not only challenge the order of transfers, but also challenge the validity of

Government Resolution (GR) dated 18/06/2024 and also to quash and set aside the impugned Difficult Area Round Teachers List issued by the respondent Nos.2 and 3.

4. It is contention of the petitioners that their transfers were effected in view of the GR dated 18/06/2024 taking effect from 30/04/2025. It is their grievance that the petitioners had been transferred to the places where they are presently working within a period of one and two years only and, therefore, were not eligible to be transferred. The GR dated 07/04/2021 was made applicable to the teachers of Zilla Parishads, which were governing the policy of transfer. The said GR was questioned in one ***Pravin Pandurang Hood v. State of Maharashtra*** in Writ Petition No.5282 of 2023 and connected matters, which were disposed of on 04/12/2023, in view of the statement made by the learned AGP that vacancies of the Headmaster/Assistant Teachers, which shall be existing with it i.e. Zilla Parishad Amravati, shall be identified and notified on the portal maintained by the State Government for enabling the consideration of the claim of the candidates like the petitioners for transferring their services from difficult tribal area to plain area before the next academic session in accordance with GR dated 07/04/2021. The State, however, instead of acting in terms of their statement made on

04/12/2023, came up with another GR dated 18/06/2024, wherein “Difficult Area” (clause 1.1); “Plain Area” (clause 1.2) were defined. Apart from which, by virtue of clause 1.8 of the said GR as many as 20 categories were created from clauses 1.8.1 to 1.8.20 under the title “Special Category Teacher Part-1” and another category was created under the heading “Special Category Teacher Part-2”. It was also challenged by the petitioners that there is no rationale behind the categorization created as it amounts to discrimination between persons, who are similarly situated in terms of employment, number of working hours, nature of duties performed, service conditions and the emoluments which are to be received by such employees, for performing the duty, which is not permissible in law. However, learned Senior Counsel Shri Mirza fairly conceded that challenge to GR now has lost its importance/merits in view of the judgment dated 14/11/2025 passed by the Principal Seat of this Court in ***The Maharashtra Rajya Padvidhar Prathamik Shikshak Va Kendrapramukh Sabha and others v. The State of Maharashtra and others***, Writ Petition No.5456 of 2025 and other connected petitions, therein challenge to the validity to the GR dated 27/02/2017 and as amended from time to time is dismissed and upheld the validity of the GR in respect of the transfer policy. In view of this, the learned Senior Counsel pressed only challenge to the impugned Difficult Area Round

Teachers List.

5. In view of clause 1.10 of the GR dated 07/04/2021 in terms of which teachers working in plain area for ten years and for five years in the present place of posting, they are eligible for being considered for transfer. The proviso thereto, however, permitted transfer, to vacant seats in difficult area of a person, who had completed employment in plain area for a period of ten years, without the requirement of the person being posted in the existing place of posting for a period of five years being insisted upon. As vacant seats in the difficult area are to be filled in, the priority to seniority as per stay in plain area is required to be considered for transferring the employee from plain area to difficult area. Thus, there is no difficulty in transferring the person to the difficult area, who has completed ten years of service in plain area. It would not be required that he should complete five years of service in his existing post. However, this exercise has to be done only if the Zilla Parishad prepared a list of teachers having served in plain area for ten years and more, i.e. as per their stay-wise seniority list in plain area. If Annexure-F i.e. Difficult Area Round Teachers List is perused, there are 15 columns, which are as under:-

Sr. No.	Name	Shalarth Id	School	UDISE No.	Taluka	Teacher Type	Sub. Type	Medium	DOB
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Current Area Joining date	Current District Joining Date	Current School Joining Date	Total service in current district till 30 th September 2024	Total service in current school till 30 th September, 2024
(11)	(12)	(13)	(14)	(15)

6. After considering these columns, we are satisfied that there is no column wherein the ‘teachers stayed in plain area’ is mentioned. The learned counsel for the Zilla Parishad vehemently submitted that this list itself is stay-wise list. However, on perusal of the same, there is only heading ‘current district joining date’. If any district is having plain area as well as difficult area, his date of joining in the district would not suffice to maintain the seniority list, but his joining date of school in plain area would be material to fix his seniority. If after joining in the district for some period in between, he was transferred to the difficult area and again brought to the plain area in that case the date of joining in the district may be of prior to ten years, but it cannot be treated as the date of joining in the plain area. As such, the list prepared would not be effectively implemented, as it is not as per Clause 1.10 of the GR dated 07/04/2021. After going through the judgment of the Principal Seat of this Court in *Writ Petition No.5456 of 2025 and other connected petitions* (supra), it is clear that the

difficult area is something different from the area unsuitable for lady teachers. It may be part of difficult area, but all difficult areas cannot be said to be unsuitable for lady teachers.

7. Now question only remains about transfer of teachers from plain area to difficult area and how ten years of service is to be calculated. As per their stay in plain area, their stay-wise seniority is required to be fixed. Though learned AGP and the learned counsel for the Zilla Parishad submitted that the column i.e. entry in 'current district joining date' itself is the date of joining in plain area. However, as discussed above, in the district where there are plain as well as difficult areas, then it has to be specifically mentioned that when ten years of service of the teacher in plain area is completed. As per seniority after ten years where he has posted, transfer can be effected as per stay-wise seniority. Unless that is not specifically mentioned, it cannot be said that clause 1.10 is effectively implemented. Even on perusal of GR dated 07/04/2021, the information to be filled in as per Information Form-1 meant to be filled in by eligible teachers to be transferred no information is called on, since when the teacher is working in plain area. As such, the list prepared needs to be quashed and set aside and on the basis of the same, transfers cannot be effected. It is pointed out by the learned counsel for the Zilla Parishad

that the portal is prepared by the Government and therefore, we have no role to play, except submission of information as provided by the teachers. In view of this, it is also necessary to issue directions to the State as well as Zilla Parishad to revise the seniority list by modifying the portal and by inclusion of column 'current joining date in plain area'. Accordingly, the writ petition is partly allowed.

9. The 'Difficult Area Round Teachers List' dated 28/11/2024 is hereby quashed and set aside. Similarly, the transfer orders dated 31/12/2024 filed at Annexure-I (Pages-153 to 206) in Writ Petition No.7287/2024, Annexure-V (Pages-62 to 68) in Writ Petition No.2289/2025 and Annexure-12 (Pages-139-D & 139-F) in Writ Petition No.7486 of 2024 are hereby quashed and set aside to the extent of the petitioners.

10. The respondent Nos.1 to 3 shall take immediate efforts in respect of correction in the portal (website) as observed above preferably within four months.

11. Rule accordingly. No order as to costs.

(NANDESH S. DESHPANDE, J)

(SMT.M. S. JAWALKAR, J)