



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 5135 OF 2025

Amol S/o Prakash Patil, aged about 43
years, Occupation: Service, R/o
Shikshak Colony, Jijamat Nagar,
Buldhana, At present R/o Panera Khedi,
Tah. Motala, Dist. Buldhana

...PETITIONER

VERSUS

1. Zilla Parishad, Buldhana, through its
Chief Executive Officer, Tah. and Dist.
Buldhana.
2. The Education Officer (Primary),
Zilla Parishad, Buldhana, Tah. and Dist.
Buldhana

...RESPONDENTS

Shri N.B. Kalwaghe, Advocate for petitioner
Ms H.N. Jaipurkar, Advocate h/f Shri B.N. Jaipurkar, Advocate for respondents.

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

RESERVED ON : **12.02.2026**
PRONOUNCED ON : **25.02.2026**

JUDGMENT (PER : NANDESH S. DESHPANDE, J.)

Heard.

2. **Rule.** Rule is made returnable forthwith. Heard finally by the consent of the parties.

3. Petition takes exception to the order of transfer dated 22.08.2025. Various grounds are raised in the petition in support of the contentions advanced. Vide order dated 08.09.2025, while issuing notices, we *prima facie* found that the entire exercise is in breach of Government Resolution dated 18.06.2024, and therefore, protected the present petitioner. The reply has been filed by the respondent No.1, in which Zilla Parishad has, relying on a judgment of the Principal Seat of this Court in Writ Petition Nos. 11788/2025 and 12140/2025, while disposing of the petition has observed as under:

“5. The reason for the delay in effecting transfers in September-2025 is said to be on account of a cascading effect, which took place because of the code of conduct having been introduced in April-May, 2024 due to the Lok-Sabha Election. The Annual Transfers got staggered beyond the code of conduct period for the year 2024. This had its effect on the AGT for the year 2025-2026. Hence, the AGT occurred in September-2025. On account of the orders of stay granted by the respective Benches, a sort of difficult and unmanageable situation is created. The learned Government Pleader hastens to add that the State is not criticizing any interim order passed by the Court, but is only making a humble attempt to convey to the Court that staying of the

transfers has broken the cycle of the transfers and the AGT of 2025-2026 is now in disarray.”

4. Furthermore, in paragraph No. 9 following directions are issued:

“9. In view of the above, all these Writ Petitions are disposed off 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] Any teacher aggrieved by the order of the CEO would be at liberty to strictly follow Clause No.5.10.2. The further process shall be governed by the clauses reproduced above below Clause No.5.10.

d] Until the CEO decides the representation, the order passed earlier that the Petitioner should not be relieved, would continue to protect such Petitioner, till the decision of the CEO.”

5. In that view of the matter, we also intend to dispose the present petition by issuing the following directions:

i) The petitioner in the present matter shall follow the procedure envisaged in clause 5.10.1 of the Government Resolution dated 18.06.2024 and make an application to the respondent No.1

within a period of seven working days from today, who would verify the data available and pass a concise order thereon if the application has to be rejected.

ii) Furthermore, the petitioner, if aggrieved by the order of the Chief Executive Officer, would be at liberty to strictly follow Clause 5.10.2, and further process shall be governed by the clauses reproduced above, below Clause No.5.10. Until the respondent No.1 decides the representation, the order of protecting the petitioner would be in force.

iii) If the order of the Chief Executive Officer is adverse to the petitioner, the same would not come in effect from two weeks thereafter.

6. The writ petition is disposed of.

7. Rule accordingly. No order as to costs.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

Jayashree..