



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION No.5151 OF 2025

WRIT PETITION No.5152 OF 2025

WRIT PETITION No.5153 OF 2025

WRIT PETITION No.5151 OF 2025

1. Ku.Sheela Ramchandra Janorkar,
Aged about 44 years, Occ. Service,
C/o. Z.P. Kendra School No.2,
Borgaon Manju, Akola,
Tah. and District-Akola.
2. Ku. Minal Arun Deshmukh,
Aged about 42 years, Occ: Service,
C/o. Zilla Parishad Varishta Primary
Marathi School, Babhulgaon Jahagir,
Tah. Patur, District - Akola.
3. Ku. Swati Murlidhar Kad,
Aged about 39 years, Occ: Service,
C/o Zilla Parishad Upper Primary School,
Babhulgaon Jahagir,
Tah. Patur, District - Akola.
4. Ku. Priyanka Prakashrao Bodhade,
Aged about 38 years, Occ: Service,
C/o. Zilla Parishad Primary School,
Gaigaon, Tah. Balapur,
District - Akola.

: PETITIONERS

...VERSUS...

1. State of Maharashtra,
Through its Secretary,
Department of Rural Development,
Mantralaya, Mumbai-400 032.
2. Zilla Parishad, Akola,
Through its Chief Executive Officer,
District – Akola.

3. The Education Officer (Primary),
Zilla Parishad, Akola. : RESPONDENTS

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Mr. Ram D. Karode, Advocate for Petitioner.
Mr. N.R. Patil, Assistant Government Pleader for Respondent No.1.
Mr. Amol Deshpande, Advocate for Respondent Nos.2 and 3.

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AND

WRIT PETITION No.5152 OF 2025

Sau. Pratibha Santosh Punde,
Aged about 39 years,
Occupation : Service,
C/o. Zilla Parishad Primary School,
Yawalkhed, Tah. & District Akola. : PETITIONER

...VERSUS...

1. State of Maharashtra,
Through its Secretary,
Department of Rural Development,
Mantralaya, Mumbai-400 032.
2. Zilla Parishad, Akola,
Through its Chief Executive Officer,
District – Akola.
3. The Education Officer (Primary),
Zilla Parishad, Akola. : RESPONDENTS

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Mr. Ram D. Karode, Advocate for Petitioner.
Mr. N.R. Patil, Assistant Government Pleader for Respondent No.1.
Mr. Amol Deshpande, Advocate for Respondent Nos.2 and 3.

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AND

WRIT PETITION No.5153 OF 2025

1. Ku. Archana Rambhau Bhopat,
(After marriage Archana Prashant Wasankar),
Aged about 46 years,

Occupation : Service,
C/o. Z.P. Primary School, Sangavi (Kh.),
Akola.

2. Mangesh Bhivraj Pathrikar,
Aged about 43 years, Occ : Service,
C/o. Zilla Parishad Uppar Primary School,
Masa (Sisa-Udegaon), Akola.
 3. Shraddha Avinash Mahajan,
Aged about 40 Yrs., Occ : Service,
C/o Zilla Parishad Cluster Primary
Marathi School, Kapshi Road, Akola
 4. Swati Vinod Mankar,
Aged about 40 yrs., Occ : Service
C/o Zilla Paishad Primary School Mirzapur,
Tq. Barshitakali, Dist. Akola.
 5. Varsha Murlidhar Gujarkar
(After marriage Varsha Vinod Bhaltlak)
Aged about 45 Yrs.,
Occ : Service
C/o Zilla Parishad Primary School,
Kharap, Akola.
- : PETITIONERS

...VERSUS...

1. State of Maharashtra,
Through its Secretary,
Department of Rural Development,
Mantralaya, Mumbai-400 032.
 2. Zilla Parishad, Akola,
Through its Chief Executive Officer,
District Akola.
 3. The Education Officer (Primary),
Zilla Parishad, Akola.
- : RESPONDENTS

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Mr. Ram D. Karode, Advocate for Petitioner.

Mr. N.R. Patil, Assistant Government Pleader for Respondent No.1.

Mr. Amol Deshpande, Advocate for Respondent Nos.2 and 3.

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CORAM : **SMT. M.S. JAWALKAR AND**
NANDESH S. DESHPANDE, JJ.
DATE : **29th JANUARY, 2026.**

ORAL JUDGMENT : (Per : NANDESH S. DESHPANDE, J.)

1. Rule. Rule made returnable forthwith. Heard finally by consent of parties.

2. The grievance in all these petitions are the respective transfer orders wherein the petitioners are transferred vide order dated 21st August, 2025. It is the contention of the learned counsel for the petitioner that clause 5.6 of the Government Resolution dated 18.6.2024 has not been followed and there is no administrative exigency neither it can be spelt out from the impugned order. He further submits that the issue is more or less covered by the judgment of the Principal Seat of this Court in Writ Petition No.11788/2025 and also Writ Petition No.5456/2025 along with other writ petitions.

3. We have perused the said judgments. In the said judgments, the Principal Seat as well as the Circuit Bench at Kolhapur of this Court in Writ Petition No.11788/2025 while disposing of the petitions with certain directions has observed as follows :

“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.”

4. Admittedly, the petitioners herein are identically placed with the petitions at the Principal Seat and at the Circuit Bench at Kolhapur. Furthermore, there is a mechanism provided to challenge the said order in the Government Resolution mentioned above more particularly clause 5.10. In that view of the matter, we are agreeable with the view taken by the Co-ordinate Benches of this Court and dispose of the petition with following directions. We, therefore, proceed to pass following order.

ORDER

(i) The Writ Petition Nos.5151/2025, 5152/2025 and 5153/2025 are partly allowed.

(ii) The aggrieved petitioners to follow the procedure in clause No.5.10.1 and make an application to the Chief

Executive Officer of the respective Zilla Parishads within a period of seven working days from today.

(iii) The concerned Chief Executive Officer shall verify the data available and write a concise order if the application has to be rejected.

(iv) Furthermore, any teacher petitioners aggrieved by this order would be at Liberty to strictly follow the clause 5.10.2 and the further process would be governed by the other conditions of the said Government Resolution.

(v) Admittedly and as can be seen from the record of the matter while issuing notice there was an ad-interim protection granted to the petitioner. The same is extended till the Chief Executive Officer takes a decision on the respective representations which are already filed and pending with them.

(vi) All the writ petitions are disposed of, as such.

(NANDESH S. DESHPANDE, J.)

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