



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

WRIT PETITION NO. 5597 OF 2025

Gopal Rajaram Gawande,

Aged about 52 years,

Occ. Graduate Teacher,

R/o. C/o. Z. P. Primary School, Bhota,

Tq. Nandura, Dist. Buldhana.

.... **PETITIONER**

// **VERSUS** //

- 1) **The State of Maharashtra,**
through its Secretary,
Rural Development Department,
Mantralaya, Mumbai-32.
- 2) **The Zilla Parishad, Buldhana,**
through its Chief Executive Officer.
- 3) **The Education Officer,**
Zilla Parishad, Buldhana.

.... **RESPONDENTS**

Mr. P. S. Kshirsagar, Advocate for the Petitioner.

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

Ms. H. N. Jaipurkar, Advocate for the Respondent Nos.2
and 3.

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

DATE : 11th FEBRUARY, 2026.

ORAL JUDGMENT : (Per : SMT. M.S. JAWALKAR, J.)

1. Heard learned Counsel for the Petitioner, learned
Assistant Government Pleader for respondent No.1 and learned
Counsel for respondent Nos.2 and 3.

2. **RULE.** Rule made returnable forthwith. Heard finally with the consent of the learned Counsel appearing for the parties.

3. By this petition, the petitioner is challenging the midterm transfer process taken up by respondent No.2 Chief Executive Officer, Zilla Parishad, Buldhana and Rural Development Department in the Primary School of Zilla Parishad, Buldhana for the year 2025-26.

4. There was an interim relief granted by this Court on 22nd September, 2025 directing to maintain status-quo.

5. In similar matter i.e. ***Writ Petition No.7287/2024, Sangita Rajendra Hole & Ors. vs. The State of Maharashtra & Ors.***, dated 16th January, 2026, along with other connected matters, this Court set aside the 'Difficult Area Round Teachers List', in respect of the Zilla Parishad, Amravati.

6. In view of the fact that, there is no column in the list showing date of joining and date of transferring in the 'plain area', this Court in para 7 of the above referred judgment held as under :

"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."

7. So far as validity of the Government Resolution dated 18/06/2024 is concerned, it is already decided by the Principal Seat in ***Writ Petition No. 5456 of 2025, The Maharashtra Rajya Padvidhar Prathamik Shikshak Va Kendrapramukh Sabha & Ors. vs. The Stae of Maharashtra & Ors.***, dated 14th November, 2025,

along with connected matters. As such, the prayer clause (ii) does not survive.

8. In view of the Judgment, passed in ***Writ Petition No.7287/2024*** (supra), respondent No. – 2 the Chief Executive Officer, Zilla Parishad, Buldhana and the respondent No.1 - State of Maharashtra, to take necessary steps for correction in the format and accordingly maintain the seniority list as per Clause 1.10 of the Government Resolution dated 07/04/2021.

9. The writ petition stands disposed of in the above terms. No order as to costs. Pending application(s), if any, stand(s) disposed of.

(NANDESH S. DESHPANDE, J.)

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

Kirtak