

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 2352 OF 2015

ALKA BANSILAL JAIN
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Bobade Yogesh K.

AGP for Respondents: Mr.D.B.Bhange.

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CORAM : **S. V. GANGAPURWALA and
V. L. ACHLIYA, JJ.**

DATE : 02nd March, 2015.

P.C.:

. The Petitioner is challenging the order dated 4th February 2015, issued by Respondent No.3 regarding promotion.

2 The learned AGP states that the Petitioner has an alternate remedy before the Divisional Commissioner.

3 In light of that, learned counsel for the Petitioner states that the Petitioner would not press prayer clause (B) and instead will file an appeal for the said purpose.

4 The learned counsel further submits that the Petitioner has filed an appeal in the year 2010 before Respondent No.1 with regard to stoppage of increment. However, the same is not yet decided.

5 The learned AGP states that if the said appeal is pending with Respondent No.1, the Respondent No.1 will decide the same as per law.

6 In light of the above, we pass the following order:

- I. In case, appeal filed by the Petitioner bearing inward No.1490, is pending with Respondent No.1, then the Respondent No.1 shall decide the same on its own merits, in accordance with law, expeditiously, preferably within six months.
- II. Accordingly, the writ petition is disposed of. No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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