

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4697 OF 2013

**RENUKA SANJAY SABLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioner : Bhise Sachin S
AGP for Respondent State : Mr.K.G.Patil
Mr.Usmanpurkar Aniruddha S.for R/3,4**

.....

**CORAM : S. V. GANGAPURWALA &
V. L.ACHLIYA, JJ.
DATED : 23rd FEBRUARY, 2015**

P.C. :-

Mr. Bhise, the learned counsel for the petitioner, submits that the recommendation of the proposal promoting the petitioner as Anganwadi Sevika is already pending since 14/12/2009, however, no decision has been taken on it as yet. The petitioner has completed equivalent qualification required for promoting petitioner as Anganwadi Sevika.

2] Mr.Usmanpurkar, learned counsel for respondent Zilla Parishad submits that no question arises for applying Government Resolution dated 5/8/2010 retrospectively. The petitioner is not qualified and entitled to be appointed as Anganwadi Sevika. During the consideration of the said recommendation, Government Resolution dated 5/8/2010

came into effect, because of which earlier Government Resolution dated 12/3/2008 has been cancelled and prescribed new qualification.

3] We have considered submissions canvassed by the learned counsel for respective parties. Whether the petitioner holds the equivalent qualification or not, will be required to be considered by the authority on its own merits. The proposal dated 14/12/2009 does not appear to have been yet decided. In light of that, we pass following order :

a] Respondent authority shall decide the proposal dated 14/12/2009 on its own merits in accordance with law and policy and the resolution as applicable from time to time expeditiously preferably within six months.

4] The Writ Petition is disposed of. No costs.

V.L.ACHLIYA, J.

S. V. GANGAPURWALA, J.

umg/