

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 7244 OF 2014**

SANGITA SOPANRAO SOLANKAR AND ANOTHER
VERSUS
CHIEF ADMINISTRATIVE OFFICER AND ANOTHER

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Advocate for Petitioners : Mr. Patil N.P. Jamalpurkar
Advocate for Respondent nos. 1 and 2 : Mr. Soman D.V.

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CORAM : S.S. SHINDE & A.M. BADAR, JJ.

Dated: September 16, 2015

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PER COURT :-

Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the Respondents.

2. Perused the pleadings in the Petition, grounds taken therein, annexures thereto and in particular, the general instructions issued by the Deputy Director Estt. (N),, Ministry of Railways, Railway Board dated 16th July, 2010 and reasons assigned by the Senior Personal Officer (Constn.) For Chief Administration Officer (Constn.), while rejecting the application dated 22nd May, 2014 made by the petitioner for appointment on account of land loser.

3. Upon careful perusal of the reasons assigned in the impugned communication dated 10th July, 2014, it appears that, the said reasons are not sustainable in the

light of the General Instruction issued by the Deputy Director Estt. (N), Ministry of Railways, Railway Board dated 16th July, 2010. In that view of the matter, the impugned communication is set aside. The concerned Authority is directed to reconsider the petitioners' application for appointment on merits under the instructions dated 16th July, 2010. We make it clear that, the respondent authority should not reject the said application on the ground that, the case of the petitioners is not covered under the General Instructions dated 16th July, 2010 and decide it on merits, subject to fulfilling all the requirement of documents, which was already submitted along with the application, as expeditiously as possible, however, in any case, within three months from today.

4. The Petition stands disposed of in above terms.

5. The parties to act upon an authenticated copy of this order.

(**A.M. BADAR, J.**)

(**S.S. SHINDE, J.**)