

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10630 OF 2014

Mrs. Usha Krishnat Shinde Petitioner
vs
The State of Maharashtra and ors Respondents

Mr. Makarand Kale with Mr. S.R. Ghanawat for the petitioner.
Mr. C. P. Yadav, AGP for respondent No.1.
Ms. Pallavi Thakar for respondent Nos. 2 and 3.

**CORAM: ANOOP V. MOHTA AND
A. A. SAYED, JJ.**

DATE : September 07, 2015

ORDER:

Rule, returnable forthwith. Heard finally by consent.

2 We are inclined to direct the Respondent/Corporation to reconsider the case of Petitioner in view of judgments in Vijaya Ukarda Athor (Athawale) v. State of Maharashtra, (2015 (1) SCALE 432, Aparna Narendra Zambre v. Assistant Superintendent Engineer, Krishna-Koyna Ursa Sinchan Project Board, 2011 (5) Bom CR 34, U. Arulmozhi v. The Director of School Education, The Chief Educational Officer, The District Educational Officer and The Registrar, Tamil Nadu Administrative Tribunal,

MANU/TN/8361/2006 and Writ Petition No.6056 of 2010- The State of Maharashtra v. Medha Prashant Parkhe decided on 26.10.2010 (Smt.Nishita Mhatre,J.) by the Petitioner referring to the entitlement even of married daughter to be appointed on compassionate ground. However, we are directing the Respondents to consider the case of Petitioner on its own merits, but subject to the decisions so referred above and by passed reasoned order which, in the present case, is definitely missing in communication dated 2;6.05.2014.

3 Therefore, by keeping all points open, impugned communication letter/order dated 26-5-2014 is quashed and set aside. The Petitioner is permitted to file additional representation with supporting documents within two weeks. The Respondents to reconsider the case of Petitioner in accordance with law as early as possible and preferably within eight weeks. All points are kept open. The writ petition is disposed of accordingly.

4 Rule made absolute in the above terms. No costs.

(A. A. SAYED, J.)

(ANOOP V. MOHTA, J.)