

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.2469 OF 2013

Smt. Saranga Ramsing Chavan ... Petitioner
Versus
State of Maharashtra and others. .. Respondents

Mr. Pravartak Pathak for the petitioner.
Mr. N.P. Deshpande, AGP for respondent No.1-State.
Mr. M.L.Patil with Mr. V.G. Tadke for respondent No.2.
Ms.Nazia Shaikh i/by Ms. Leena Patil for respondent No.3.

**CORAM : MOHIT S. SHAH, C.J. &
B.P. COLABAWALLA, J.**

January 13, 2015

P.C.

In this petition under Article 226 of the Constitution of India, the petitioner has challenged the order dated 17 October 2012 of the Commissioner, Directorate, Welfare of Persons with Disabilities, Pune.

2. The petitioner is a nurse and seeks reservation for promotion to the cadre of Assistant Metron as a person with disability.

3. The affidavit-in-reply has been filed on behalf of the respondent-authorities. It is pointed out that the total number of posts of Assistant Metron is only four, out of which two are to be filled in by nomination and two are to be filled in by promotion. It is submitted that if the number of identified posts in the categories of persons with disabilities are less than seven then no post in such cadre is to be reserved for the persons with disabilities because if any post is reserved for persons with disabilities then the same will be in excess of 3% ratio.

4. In view of the above, we do not find any infirmity in the impugned order. Writ petition is summarily dismissed.

CHIEF JUSTICE

B.P. COLABAWALLA, J.