

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3311 OF 2010

[Rekha Chaturji Chandane .vs. The Divisional Social Welfare Officer, Amravati Division, Amravati and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Smt. S.W. Deshpande, counsel for the petitioner,
Mrs. B.H. Dangre, Government Pleader for the respondent nos.1 and 2,
Shri S.G. Loney, counsel for the respondent no.3,
Shri N.R. Saboo, counsel for the respondent no.4.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATED : SEPTEMBER 07, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondents to cancel the approval to the appointment of the respondent no.4 on the post of peon. The petitioner also seeks a direction to the respondent no.2 to grant approval to the appointment of the petitioner as a peon, pursuant to a selection in furtherance of an advertisement.

The learned counsel for the petitioner states that during the pendency of the writ petition, the writ petition filed by the respondent no.4 was dismissed, with the result that the approval to the appointment of the respondent no.4 stands cancelled - revoked. It is stated that a part of the grievance of the petitioner stands redressed in view of the dismissal of the writ petition filed by the respondent no.4. It is stated that it would now be necessary for the Social Welfare Officer - Respondent No.2 to consider the proposal of the petitioner and decide the same in accordance with law. It is stated that since the respondent no.4 was paid from the government exchequer for some period, in view of the approval granted to his appointment, the Social

Welfare Officer may also consider that aspect of the matter while deciding the proposal of the petitioner.

The learned Government Pleader and the learned counsel for the management do not dispute the statements made on behalf of the petitioner.

Since the approval order issued in favour of the respondent no.4 no longer subsists, the writ petition is disposed of, with a direction to the respondent no.2 to decide the proposal of the petitioner, as early as possible and positively within a period of eight weeks. Order accordingly. No costs.

JUDGE

JUDGE

Gulande