

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

W.P.No. 4218 of 2014

Smt. Jyoti Vijay Davle vs. Zilla Parishad, Washim through Chief Executive Officer
and another.

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

Court's or Judge's
Orders.

Shri M.G.Sarda, Advocate for the petitioner.

CORAM : SMT. VASANTI A. NAIK &
A.M.BADAR, JJ

DATE : 22.4.2015

By this petition, the petitioner impugns the order of the Zilla Parishad terminating the services of the petitioner on failure on the part of the petitioner to produce the caste validity certificate. It is the case of the petitioner that the petitioner was not appointed on a post reserved for the Other Backward Classes and was appointed from the open category. This fact is seriously disputed by the Zilla Parishad.

Since the disputed question of facts arises for determination in this writ petition and since there is an efficacious alternate remedy for challenging the impugned order under Rule 13 of the Maharashtra Zilla Parishads District Services (Discipline and Appeal) Rules, 1964, we decline to entertain the writ petition.

At this stage the learned counsel for the petitioner seeks continuation of the interim relief by a period of four weeks so that an appeal along with an appropriate application for interim relief

could be filed. The request made on behalf of the petitioner is just and reasonable.

Hence, we dispose of the writ petition with no order as to costs. The interim relief is continued by a period of four weeks. The points raised in the petition are kept open.

JUDGE

JUDGE

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