

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

WRIT PETITION NO.6932 OF 2014.

Saraswati Bahu Uddeshiya Sanstha Katol and anr...vs.. State of Mah. and ors.

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

Court's or Judge's orders

Mr.S.A.Kalbande, Adv. for the petitioner.
Ms.Kalyani Deshpande, AGP for resp.1 to 4.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : AUGUST 31, 2015.

Heard Advocate Shri Kalbande for the petitioner and learned AGP for the respondents. Perused reply-affidavit.

Only question is whether diploma qualification possessed by petitioner no.2 is sufficient and approval to his employment since 2009 as Speech Therapist with petitioner no.1 is, therefore, needs to be granted.

Perusal of impugned order reveals that because petitioner does not possess degree in Speech Therapy, the recognition has not been considered. Its reading shows that it makes reference to a Government decision dated 18th of August, 2014.

Fact before us is, it is not in dispute that petitioner joined employment in 2009. Scheduled 'B' with Government Resolution dated 18th of August, 2004 shows that graduate qualification as also diploma is recognized as qualification.

Learned counsel for the petitioners has also drawn our attention to a communication dated 9th of October, 2004 sent by State Government to the office of Government Pleader at Nagpur. That communication mentions that a lady by name Smt. Tathe has been given provisional approval and she possesses only diploma in Speech

Therapy. The approval to her employment is subject to further orders in Writ Petition No.3461 of 2014,

In this situation, though learned Assistant Government Pleader is seeking further time for classification, interest of justice can be met with by directing respondent no.4 to apply his mind accepting diploma as prescribed qualification for the post of Speech Therapist. We direct the petitioner no.2 to appear before respondent no.4 for said purpose on 14th of September, 2015 and respondent no.4 shall complete the process within next four months. If approval is granted, same shall be subject to further orders of this Court in Writ Petition No.3461 of 2014. Subject to this, impugned communication dated 3rd of June, 2014 at Annexure VII is quashed and set aside.

JUDGE

JUDGE

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