

**HON'BLE SRI JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

WRIT APPEAL No. 24 OF 2007

JUDGMENT: (per the Hon'ble Sri Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

Learned counsel for the appellants submits that insofar as appellant No.1 is concerned, the appeal has rendered infructuous. The appeal is accordingly disposed of as infructuous, insofar as appellant No.1 is concerned.

Counsel for the appellants submits that presently appellant No.2 is working as Typist and if she is allowed to work on the said post till regular appointment is made, he has instructions not to press this appeal on merits. He further submits that in the meanwhile if the respondent – Corporation initiates recruitment process for the post on which she is working or any other post to which she is eligible, she may be permitted to participate in the selection process. It is not in dispute that in view of the interim order the appellant continues to work as typist since 2007 till today.

Learned counsel for the respondent – Corporation, on instructions, submits that the respondents shall allow appellant No.2 to work on the post on which she is presently working till regular appointment is made subject to condition that she shall not make monetary claim of whatsoever nature against the respondents and that she will work on the said post on the salary which she is paid presently. He further submits that he has no objection for allowing appellant No.2 to participate in the selection process, if any, initiated by the respondent – Corporation in future.

In the circumstances, we dispose of this writ appeal insofar as appellant No.2 is concerned, by the following order:

“The respondent – Corporation shall allow appellant No.2 to continue to work on the post she is presently holding by virtue of the interim order passed by this Court and on the same salary till the regular appointment on the said post is made by them. It is open to appellant No.2 to participate in the selection process, if any, for the post on which she has been working or any other post, which she desires to apply for, and if she participates in the selection process, the respondents shall consider her candidature on merits in accordance with law.”

Miscellaneous petitions, if any, also stand disposed of. There shall be no order as to costs.

DILIP B. BHOSALE, J

A. RAMALINGESWARA RAO, J

26-02-2015

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