

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

938 WRIT PETITION NO. 5748 OF 2015

SHOBHA ARUN IRASE

VERSUS

STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Aghav A D

AGP for Respondents/State: Mr. S.B.

Yawalkar.

Advocate for Respondents 3 & 4: Ms. Bodke

Patil Poonam V.

...

CORAM: S.S. SHINDE & SANGITRAO S. PATIL, JJ.

Dated: APRIL 01, 2016

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Heard learned Counsel for the petitioner, learned AGP appearing for the respondents No.1 and 2 and learned Counsel for respondents No.3 and 4.

2 In pursuance to the notices issued to the respondents, respondents No.3 and 4 have filed affidavit-in-reply and shown their inability to appoint the petitioner on compassionate ground on the post of Lab Assistant since that post has already been

filled in. However, learned Counsel for respondents No.3 and 4 submits that, in case fresh application is filed by the petitioner without mentioning any post, respondents No.3 and 4 will forward it to the respondent No.2 for necessary action. In the light of this submission across the Bar and willingness shown by the applicant/petitioner through advocate to file fresh application, we pass the following order:

3 The petitioner to file fresh application with the respondents No.3 and 4 within two weeks from today. Upon filing such an application, respondents No.3 and 4 to forward the same to respondent No.2 mentioning therein the position of vacancies of class III and IV posts, within two weeks thereafter. Upon receiving the application by respondent No.2 with recommendation of respondents No.3 and 4, respondent No.2 to decide the same, as expeditiously as possible; however, within six weeks from receipt of such application through respondents No.3 and 4.

We make it clear that earlier rejection of the application dated 27th June, 2014 shall not be construed as an

impediment to consider the fresh application as observed above, by the respondent No.2.

4 Petition stands disposed of on above terms.

Parties to act upon authenticated copy of this order.

(SANGITRAO S.PATIL, J) (S.S. SHINDE, J)