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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CONTEMPT PETITION NO.449/2016

IN

WRIT PETITION NO.3848/2016

Mamta Pandurang Nimje.

...Petitioner..

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri S.R. Dheple, Advocate for petitioner.

Smt.Vaishali Patil, AGP for respondent nos.1 & 2.

Respondent no.3 served.

.....

**CORAM: S.V. GANGAPURWALA &
K.L. WADANE, JJ.**

DATE: 08.12.2016

ORDER :

1] We have heard Mr.Dheple, learned counsel for the petitioner.

2] Learned AGP states that the authority has decided the representation on 8.7.2016.

3] According to Mr.Dheple, learned counsel for the petitioner, the same is not in consonance with the judgment of the Apex Court. The seniority has to be

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counted from the initial date of appointment and not from the date the petitioner acquires necessary qualification.

4] The said aspect cannot be considered in a contempt petition. The representation has been decided in a particular way. If according to the petitioner, the said order passed by the Education Officer is erroneous, the petitioner can challenge the same in appropriate proceedings.

5] Considering that the representation is decided, though belatedly, the contempt stands purged. The contempt petition as such is disposed of. No costs.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)