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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5205 OF 2014

Smt. Kalavati Devrao Hange .. Petitioner

Versus

State of Maharashtra and Ors. .. Respondents

Mr. V.K. Bodhare for the petitioner.

Mr. S.S. Patwardhan for the respondent nos. 3 and 4.

Ms. Nisha Mehra, AGP for respondent nos. 1 and 2.,

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.
DATED : SEPTEMBER 23, 2016.**

P.C.

Rule. Rule is made returnable forthwith. By consent, heard forthwith.

2. The grievance of the petitioner is that though respondent no. 4 is junior to her, instead of promoting the petitioner to the post of Headmaster, respondent no. 4 has been promoted by respondent no. 3.

3. Having considered the submissions of the parties and having gone through the record, we find that the petitioner has filed a representation before the second respondent Education

Officer, Zilla Parishad, Solapur in regard to her grievance. In the circumstances, without commenting upon the merits of the matter and the petitioner's entitlement, we dispose of this petition by directing respondent no.2 Education Officer to consider petitioner's grievance after giving due opportunity of hearing to the petitioner as also to the 4th respondent. While taking appropriate decision, the second respondent shall not be influenced by the approval granted to promotion by him vide order dated 2.9.2010 and shall decide the matter on the basis of the relevant record, rules and GRs to that effect. Parties to appear before respondent no. 2 on 3.10.2016 at 3.00 pm. The decision as aforesaid shall be taken by the second respondent within three months from the date of appearance of the parties before him. Petition stands disposed of. Rule is made absolute in the aforesaid terms.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)