Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10076 OF 2016

Smt. Tamanna Haresh Naraini .. Petitioner
Vs.
The State of Maharashtra and ors. .. Respondents

Mr.N.V.Bandiwadekar, for the Petitioner.
Mr.S.B.Kalel, AGP for State.

CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 05th OCTOBER, 2016

P.C. :

. Matter is not on board. In view of urgency, taken up in the production board.

2. Parties through their counsel.

3. Learned counsel for the petitioner submits that the institution, in which, the petitioner is appointed as Shikshan Sevak is a minority institution. A certificate of the institution as minority institution is filed as “Exhibit A”.

4. Having considered the submissions made by learned counsel for the parties and having gone through the averments

made in the petition as also the judgment dated 2nd September, 2013 passed by the Division Bench in the case of **Parbhani Education Society, Parbhani versus the State of Maharashtra in writ petition No.3707 of 2013,** we are of the view that the question involved in this petition has already been considered and decided by this Court in the case of **Parbhani Education Society** *(supra)*. In identical circumstances, this Court vide order dated 31st March, 2016 passed in the case of **Vinod Laxman Shelkar and anr. versus the State of Maharashtra and anr. in writ petition No.2207 of 2016** disposed of the Petition by passing order for reconsideration. In view of the aforesaid, we dispose of the petition in the following terms:

O R D E R

i) The impugned order is quashed and set aside;

ii) Respondent No.2 is directed to consider afresh the proposal submitted by respondent No.4 for approval of the appointment of petitioner in the light of the observations made hereinabove.

iii) Respondent No. 2 shall take decision as expeditiously as possible and, in any case, within a period of four weeks from the date of receipt of a copy of this order.

iv) The parties shall act upon a copy of this order duly authenticated by the Registry of this Court.

(**M.S.KARNIK, J.**) **(SHANTANU.S.KEMKAR, J.)**