

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.5361 OF 2016

The State of Maharashtra, through its Secretary, Public Health Department,
Mantralaya, Mumbai and another

..VS..

Shri Kishor S/o Sahebrao Bagde

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

Court's or Judge's Order

Mrs. Bharti Dangre, Government Pleader for the petitioners.
Shri S.V. Deshmukh, counsel for the respondent/caveator.

CORAM : DR. MANJULA CHELLUR, C. J. &
B.P. DHARMADHIKARI, J.

DATED : OCTOBER 18, 2016.

Heard learned Government Pleader Mrs. Bharti Dangre for the petitioners and learned counsel Shri S.V. Deshmukh for the respondent/caveator.

The writ petitioners are aggrieved by the *interim* directions issued by the Administrative Tribunal directing the petitioners to permit the respondent-applicant to apply for the post of "Multipurpose Health Worker" in terms of advertisement dated 21.1.2016 without applying the procedure which restricts the age limit as 45 years.

Since the Tribunal is yet to decide the matter finally on merits, we are of the opinion that there is no need

to keep the writ petition pending or grant any interim relief which would scuttle the entire process of recruitment.

We dispose of the writ petition as follows:

We direct the writ petitioners to permit the respondent-applicant to apply for the post of “Multipurpose Health Worker” without insisting on the condition of age limit and they proceed with the entire selection process keeping one post vacant in the category to which the case of the respondent-applicant is vacant. Meanwhile, it would be just and proper that the application pending before the Tribunal could be disposed of. We observe that in the light of peculiar situation in which the entire issue has to be dealt with, the matter requires disposal on priority basis, as expeditiously as possible.

(B.P. DHARMADHIKARI, J.)

(CHIEF JUSTICE)

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 19/10/2016

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