

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.6523/2016

(Usha d/o Tukaram Bhute (Sau.Usha Ashok Halmare) vs. The State of Maharashtra and others)

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

Court's or Judge's order

Mr. P.S. Kshirsagar, Advocate for the petitioner
Mr. S.P. Deshpande, Additional Government Pleader for Respondent
Nos. 1 & 2
Mr. A.Y. Kapgate, Advocate for Respondent no.3

**CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.**

DATED : 19th December, 2016.

Heard.

By this Writ Petition, the petitioner challenges the order dated 14.10.2016, absorbing the petitioner on the post of Assistant Teacher in Shambhutola in Pachayat Samiti, Deori.

The learned counsel for the petitioner had stated on the previous date of hearing, that the petitioner is not aggrieved by the order by which she was permitted to work as an Assistant Teacher, but the petitioner was aggrieved by the order by which she was posted at a place which is at a distance of more than 30 kms. from the place where the husband of the petitioner is posted.

Shri Kapgate, the learned counsel for the Zilla Parishad states by referring to a document signed by the petitioner at the time of conciliation that the petitioner was ready to join in Deori Panchayat Samiti. The acknowledgment of the petitioner

showing her willingness to join in Deori Panchayat Samiti is placed before the Court, for perusal.

In the circumstances of the case, we are not inclined to interfere with the order absorbing the petitioner in Deori Panchayat Samiti as it appears that the petitioner has agreed to join in a School in Deori Panchayat Samiti. However, since it is the case of the petitioner that there are several vacancies in the Schools that are within a distance of 30 kms. from the place where the husband of the petitioner is posted, the representation of the petitioner needs to be considered by the respondent-Zilla Parishad, sympathetically.

Hence, though we are not inclined to interfere with the impugned order, we dispose of the Writ Petition, with a direction to the respondent-Zilla Parishad, to decide the representation of the petitioner for posting the petitioner in the post of an Assistant Teacher, at a place which is located within a distance of 30 kms. from where the husband of the petitioner is posted.

Order accordingly. No costs.

JUDGE

JUDGE

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