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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 1392 OF 2016**

Mrs. Meena M. Pawar

... Petitioner

Versus

The State of Maharashtra and Ors.

... Respondents

Mr.Sandeep Dere a/w Mr. Suhas Deokar for the petitioner.

Mr. P.P.More, AGP for the R. nos. 1 and 2 State.

**CORAM : SHANTANU KEMKAR &**  
**M.S. SONAK, JJ.**  
**DATED : JULY 01, 2017.**

**P.C.**

1. Challenging the order dated 7.1.2016 by which the petitioner's services have been terminated, the petitioner has filed this petition. According to the petitioner, though she was appointed on contract basis but her appointment was on the basis of advertisement issued for appointing on permanent basis issued by respondent no. 2. The appointment was made after holding due selection process. In support of this, petitioner has placed reliance on the noting dated 15.4.2016 recorded in Exh. H.

2. Having gone through the impugned order as also the documents and the noting on which the petitioner has placed

reliance, in our considered view, this petition requires to be disposed of by directing respondent no. 2 to consider this aspect of the matter. Petitioner is at liberty to submit a detailed representation with supporting documents to respondent no.2 within two weeks from today. On receipt of the said representation, respondent no.2 shall examine the petitioner's contention that she was appointed by due process of selection for permanent appointment and her case cannot be said to be adversely covered by the decision of the Supreme Court in the case of Secretary, State of Karnataka Vs. Uma Devi in Civil Appeal No. 3595-3612 of 1999 dated 10.4.2006.

3. While taking the decision as aforesaid, the second respondent shall not be influenced by the stand taken by them in reply affidavit and shall take decision in accordance with law.

4. Petitioner to appear before respondent no.2 along with the representation on 14.7.2017 at 3.00 p.m.

5. With the aforesaid, petition is disposed of.

**(M.S. SONAK, J.)**

**(SHANTANU KEMKAR, J.)**