

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6997 OF 2016**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Ms.Ujawala Kapre i/b. V.S. Deokar, Advocate for Petitioner.

Mr.Sanjeev P. Kadam, Advocate for respondent No.1.

Mr.J.A. Madane, AGP for respondent No.3 – State.

CORAM : R. G. KETKAR, J.

DATE : 04/07/2017

PC.:

1. Heard Ms.Ujawala Kapre, learned Counsel for the petitioner, Mr.Sajeev Kadam, learned Counsel for respondent No.1 and Mr.J.A. Madane, learned A.G.P for respondent No.3.

2. This Petition takes exception to the order dated 30.1.2013 passed by the School Tribunal, Kolhapur dismissing the appeal preferred by the petitioner against the termination order dated 14.6.2012. The petitioner was appointed initially on clock hour basis. The Management thereafter appointed the petitioner as Assistant Teacher on full time basis w.e.f. 15.6.2009. Respondent No.1 on 5.11.2009 directed the Management to appoint the petitioner as Shikshan Sevak . Her services were terminated on 14.6.2012 against

which she preferred appeal.

3. Mr. Kadam submitted that during pendency of this Petition, the Management has appointed the petitioner on the post of Shikshan Sevak by following due process of law and submitted the proposal for approval to the Deputy Director of Education, Kolhapur Division, Kolhapur. By communication dated 12.5.2017, the Management is informed that the proposal cannot be considered in view of pendency of this Petition. He assures that within two weeks from today he will submit the roster scrutinized by the Backward Class Cell to the Deputy Director of Education, Kolhapur Region, Kolhapur. Ms. Kapre also seeks time on the ground that she will obtain instructions from the petitioner as to whether she is willing to accept the fresh appointment on the post of Shikshan Sevak.

4. In view thereof, hearing of this Petition is deferred till 25.7.2017. Pendency of this Petition will not preclude the Deputy Director of Education from considering the proposal submitted by the Management for fresh appointment of the petitioner on the post of Shikshan Sevak subject to the Management submitting the extract of roster scrutinized by the Backward Class Cell within two weeks from today.

(R. G. KETKAR, J.)