

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION (ST) NO. 15557 OF 2017**

Kavita Nandkumar Singhan

@ Kavita Shivaji Ghodke

..Petitioner

Vs

The State of Maharashtra and ors.

..Respondents

Mr. Abhijit Kulkarni i/b D.D. & Abhijit Associates Advocates for the
Petitioner.

Ms R.M. Shinde, AGP for Respondent No.1.

Mr. A.S. Khandeparkar a/w. D.P. Singh for Respondent No.2-UOI

CORAM : SHANTANU S. KEMKAR &

M. S. SONAK, JJ.

DATE : JUNE 14, 2017.

P.C. :

. Feeling aggrieved by the order dated 30th May 2017 (Exhibit-A) issued on the basis of Government Resolution dated 5th August 2010, by which, the services of the petitioner as Anganwadi Sevika have been terminated on the ground that the petitioner being a Sarpanch cannot hold two posts.

2] According to the petitioner, the petitioner has submitted reply dated 24th May 2017 (Exhibit-D) to the Show Cause Notice dated 11th April 2017 issued in regard to the aforesaid proposed action but without taking into consideration the reply to the Show Cause Notice, the impugned order has been passed. It is also case of the petitioner

that in identical circumstances, the Aurangabad Bench of this Court vide order dated 29th September 2010 in Writ Petition No. 8833 of 2010 had granted stay to the action taken in pursuance of the said Government Resolution dated 5th August 2010.

3] Having considered the submissions made by learned counsel for the parties, we are inclined to dispose of this petition by directing respondent No.4 to consider and take afresh decision in regard to the petitioner's grievance by taking into consideration the reply (Exhibit-D) of the petitioner, uninfluenced by its earlier order dated 30th May 2017.

4] The petitioner to appear before respondent No.4 on 21st June 2017 at 11.00 a.m.

5] On that day or within a week thereafter, the petitioner be heard and an afresh reasoned order be passed within four weeks from the date of hearing of the matter.

6] With the aforesaid directions, the petition is disposed of.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)