

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO.331 OF 2010
IN
WRIT PETITION NO.1777 OF 1999

Vibha M. Nijsure

....Applicant

Vs.

John Wilson Education Society & Ors.

....Respondents

Mr. Mihir Joshi for the Applicant.

Mr. Rajiv Mane, AGP for State for respondent Nos.5 and 6.

Mr. V.S. Talkute for respondent No.4.

Mr. M.S. Oberoi, i/by V.Y. Sanglikar for respondent Nos.1 and 2.

**CORAM : A.A. SAYED AND
M.S. KARNIK, JJ**

DATE : 1st August, 2017

P.C. :

1. This Notice of Motion is taken out for restoration of the Writ Petition, which is dismissed for non-prosecution on 7th April 2000. The Notice of Motion is not opposed. Hence, the same is allowed and the Writ Petition No.1777 of 1999 is restored to file.

2. Notice of Motion to stand disposed of accordingly.

(M.S. KARNIK, J.)

(A.A. SAYED, J.)

1.

WRIT PETITION NO.1777 OF 1999

2. The grievance of the Petitioner, who is an Assistant Teacher is that she has not been granted trained Graduate scale and she was wrongly put under untrained Graduate scale.
3. Learned Counsel for respondent No.4 states that there are other Assistant Teachers who are senior to the Petitioner and the case of the petitioner shall be considered for trained graduate scale as and when her turn comes. He further makes a statement that the Petitioner shall not be superseded by appointing any junior on the trained Graduate scale. Learned Counsel for the Petitioner states that the above statement would suffice..
4. Hence, the petition is disposed of by taking the statement made by the learned Counsel for the Respondent No.4 on record. Rule is made absolute accordingly.

(M.S. KARNIK, J.)

(A.A. SAYED, J.)