

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.4105 of 2017

(Varsha Sushim Lokhande Vs. Chief Executive Officer, ZP, CHandrapur)

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

Court's or Judge's orders.

Mr. N.N.Potbhare, Advocate for petitioner.
Mrs.A.R. Kulkarni, AGP for respondents.

**CORAM : B.P.DHARMADHIKARI &
R.B.DEO, JJ.**

DATE : 17.07.2017.

Heard Advocate Potbhare for
petitioner.

Learned AGP appearing for
respondent no. 3 points out that as yet notices
are not issued.

We find that grievance made is
issuance of appointment order to respondent
no. 5, though appeal preferred by petitioner in
the matter of recruitment process to the post
of 'Anganwadi Madatnis', is still pending.

According to Advocate Shri.
Potbhare because of pendency of appeal,
appointment order could not have been
issued. He further submits that appeal is
being kept pending awaiting necessary
clarification / guidelines from State
Government, appointed respondent no.5.

Without prejudice to right of respondents to file reply and in absence of instructions, AGP submits that the appeal can be decided within reasonable time.

Appeal is pending with respondent no.1 – Chief Executive Officer.

In this situation, as respondent no. 5 has already been appointed, we direct respondent no. 1 to decide appeal of petitioner if it is still pending at the earliest and in any case within six weeks of the communication of this order to him. Petitioner to communicate this order to respondent no.1.

It is made clear that all defences available to respondents including issue of maintainability of appeal are open and can be looked into by respondent.

With these direction and keeping all contention of petitioner also open, we dispose of writ petition. No cost.

JUDGE

JUDGE