

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5471 OF 2018

Sou. Deepmala Chandrakant Mane

...Petitioner

Vs.

Chief Executive Officer,
Zilla Parishad, Solapur & Ors.

...Respondents

Mr. Sushil Inamdar for Petitioner.

Mr. Anand S. Kulkarni for Respondent Nos. 1 to 3.

Mr. Suhas S. Inamdar for Respondent No. 4.

CORAM : S.C. GUPTE, J.

DATE : 26 JUNE 2018

P.C. :

After the matter is heard at some length, it is agreed between learned Counsel for all the parties as also the State that the impugned orders of the Labour Court and the Industrial Court in revision dated 20 March 2018 and 11 April 2018, respectively, may be quashed and set aside and so also the impugned order dated 17 November 2017 cancelling the appointment of the Petitioner as Anganwadi Sevika / Madatnis shall stand quashed and set aside. It is ordered accordingly. The matter is remanded at the stage of inquiry in pursuance of the show cause notice dated 31 October 2017. The parties shall appear before the Chief Executive officer of Zilla Parishad, Solapur on 9 July 2018 at 3.00 p.m. In the event the Petitioner wants to make any written representation dealing with the show cause notice, she may do so within a period of two weeks thereafter. The CEO shall, thereafter, hear all the parties and decide the show cause notice dated 31 October 2017 within a period of four weeks thereafter. It is made clear that this order is passed on consent of parties and having regard to

the fact that the Petitioner has not been adequately heard before the impugned order dated 17 November 2017 was passed on the show cause notice and this court has not applied its mind to the merits of the controversy. All rights and contentions of the parties on merits are kept open. In case any representation is made by anyone from the villagers or otherwise, and it is to be considered by the Chief Executive Officer, the Petitioner shall be permitted to file a suitable reply to such representation. Such reply will also be filed within a period of two weeks from 9 July 2018. Since the impugned order itself is quashed and set aside, there is no point in allowing the revision application and the complaint on file. Accordingly, the revision application and the complaint stand disposed of. This order is passed in the presence of Respondent No.4.

2 The writ petition is disposed of.

(S.C. GUPTE, J.)