

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 9253 OF 2017

Kumari Ankita Dilip AdagalePetitioner

V/s.

The Principal Seventh – Day High SchoolRespondents
Lasalgaon and others

Mr. Bhushan U. Deshmukh for the petitioner
Mr. A. P. Vanarase AGP for the State.

**CORAM : NARESH H. PATIL AND
NITIN W. SAMBRE, JJ.
DATE : JANUARY 24, 2018.**

P.C.

Heard. We have perused the communication dated 30/06/2009 wherein it was informed by Mr. P. S. Gaikwad Executive Secretary to Principal Seventh Day Higher Secondary School in respect of appointing Ankita, daughter of Dilip Adagale, a handicapped person, on sympathetic ground.

2 The counsel appearing for the petitioner submits that accordingly, the petitioner was appointed on consolidated salary of Rs. 2070/-. She was orally terminated in the year 2010. The counsel submitted that

ism

thereafter, a petition in Consumer Court was filed and later on, proceedings were initiated with the respondent no. 3 by filing complaint no. 33 of 2013.

3 By a reasoned order, the Commissioner dismissed the complaint on 23/08/2013. The Petitioner, after keeping quite for near about 4 years, preferred this petition seeking direction to the respondent to reinstate her by quashing and setting aside the order of commissioner.

4 Firstly, we find that there is noticeable delay in petitioner approaching this Court. On merits, we find that the petitioner was not appointed by following prescribed mandatory procedure. The petitioner has failed to place on record any formal order of appointment. According to the counsel of the petitioner, the petitioner was orally terminated. The Commissioner has recorded reasons in rejecting the complaint. In the facts, we are not inclined to interfere. The petition is dismissed.

[NITIN W. SAMBRE, J.]

[NARESH H. PATIL, J.]