

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

WRIT PETITION NO.11989 OF 2015

Rekha Ashok Thakur

..Petitioner

Versus

State of Maharashtra and others

..Respondents

Mr. Chintamani K. Bhangoji i/by Mr. R. K. Mendadkar & Ms. Helen N. Koli, Advocate for the Petitioner.

Mr. S. B. Kalel, AGP for Respondent Nos.1 to 3.

Mr. Bhushan U. Tayade, Advocate for Respondent No.4.

CORAM : B. R. GAVAI &

SMT. BHARATI H. DANGRE, JJ.

DATE : 27th FEBRUARY, 2018

PC.

1] Rule. Rule made returnable forthwith. Heard by consent.

2] The Petitioner has approached this Court with two fold grievances. Firstly, that though her claim is pending before the Respondent No.2 – Committee for a considerable period of time, the same is not decided. Secondly, that on account of Respondent No.2 – Committee not deciding the claim of the Petitioner, the Respondent Nos.3 and 4 are not releasing salary of the Petitioner.

3] It is not in the hands of the Petitioner within how much time,

the Respondent No.2 – Committee decides claim of the Petitioner. An affidavit has been filed by one Shivprasad Mukundrao Kakde, stating therein that Respondent No.2 – Committee would decide claim of the Petitioner within a period of three months from today.

4] In that view of the matter, the Petition is allowed in the following terms :-

- I) The Respondent No.2 – Committee shall decide claim of the Petitioner as expeditiously as possible, preferably within a period of three months from today.
- II) The Respondent Nos.3 and 4 shall not withhold salary of the Petitioner only on the ground of non-submission of Caste Validity Certificate and shall continue to pay salary of the Petitioner until claim of the Petitioner is decided by the Respondent No.2 – Committee.
- III) It is further directed that the protection granted to the Petitioner shall continue further for a period of three weeks, in the event decision of the Respondent No.2 – Committee is adverse to the interest of the Petitioner.

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IV) The Petitioner to remain present before the
Respondent No.2 – Committee on 12th March 2018
and as such, requirement of common notice shall
stand waived.

[SMT. BHARATI H. DANGRE, J.]

[B. R. GAVAI, J.]