nsc.

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

WRIT PETITION NO.1592 OF 2017

Bhavana Harishchandra Mhatre ...Petitioner
Versus
State of Maharashtra and Anr. ...Respondents

Mr.Mihir Desai, Senior Advocate i/b Anubha Rastogi, for the Petitioner.

Mr.L.T.Satelkar, AGP for the Respondent No.1.

Mr.Rahul Nerlekar, for the Respondent No.2.

CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.

DATE : 27th JUNE, 2018

P.C. :

1. The communications dated 27th October, 2016 and 7th October, 2016 of the State Government and the learned Registrar General of this Court, informing the Petitioner of her unsuitability for selection to the post of Member, Industrial Court is taken exception to by way of the above Writ Petition.

2. The learned Senior Counsel for the Petitioner states that the Petitioner is not much concerned about her non-selection to the said post of Member, Industrial Court, but is concerned with the fact that the basis for her non-selection should not come in the way of the Petitioner in her future pursuits for a judicial appointment.

3. We had therefore requested the learned counsel for the Respondent No.2 Mr. Nerlekar to seek instructions in that regard. The learned counsel has tendered today a letter dated 6th March, 2018 addressed to him by the learned Registrar (Legal & Research) of this Court. The contents of the said letter can be gainfully reproduced herein under for the sake of ready reference:-

> 'With reference to the subject noted above and the letter under reference, I am directed to inform that the future selection process for Judicial post will be subject to the eligibility criteria as prevalent at that time and the eligibility of Petitioner i.e. Ms.Bhavana H. Mhatre will be tested on those parameters, if she applies for any Judicial post in future.'

4. Hence, having regard to the contents of the said letter, we are of the view that the grievance of the Petitioner in respect of her future pursuits for appointment to a Judicial post, stands assuaged as it has been stated that the Petitioner would be considered, subject to the eligibility criteria prevailing at that time and the eligibility of the Petitioner would be tested on the basis of the said parameters.

5. Hence, in view of the said letter, it is not necessary to keep the above Writ Petition pending. The same to accordingly stand disposed of.

6. The letter dated 6th March, 2018, is taken on record and marked as “X' for identification.

(REVATI MOHITE DERE, J.) ***(R. M. SAVANT, J.)***