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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO.725 OF 2019
IN
WRIT PETITION NO. 14235 OF 2018**

Damyanti D/o Pandurang Bhat
Age 60 Years, Occupation:Nil
R/o: C/o Pandurang Dharamdas Bhat,
Sumanrang, College Road, Taloda
Taluka Taloda, District Nandurbar

..PETITIONER

VERSUS

1. Shri Baburao Bhavane,
The Deputy Chief Executive Officer,
Zilla Parishad, Nandurbar
District Nandurbar

2. The Project Officer of Integrity Child Development
Scheme, Mhasavad, Taluka Shahada,
District Nandurbar.

..RESPONDENTS

Mr Gajendra D. Jain, Advocate for petitioner;

**CORAM : PRASANNA B. VARALE
AND
ANIL S. KILOR, JJ.**

DATE : 6TH NOVEMBER, 2019

ORAL ORDER:

Heard Mr Jain, learned counsel for the petitioner.

2. On perusal of the documents, it reveals that the writ petition was filed in this Court seeking directions to respondent No.1 – The Deputy Chief Executive Officer, Zilla Parishad, Nandurbar to

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take decision on the proposal submitted by respondent No.2 – The Project Officer of Integrated Child Development Scheme, Mhasavad, District-Nandurbar and accordingly, the Division Bench of this Court by order dated 20th December, 2018 in Writ Petition No. 14235 of 2018 directed respondent No. 1 to take decision on the proposal within stipulated period of six weeks.

3. Perusal of the documents further reveals that the proposal was submitted to the Deputy Chief Executive Officer through Block Development Officer, Panchayat Samiti as well as Project Officer of Integrated Child Development Scheme, Mhasavad.

4. Subsequent to the order passed by this Court, there was an exchange of communication between Counsel for the petitioner and Deputy Chief Executive officer, Zilla Parishad, Nandurbar, dated 5th March, 2019. It was informed to the Counsel that the matter is submitted to the Chief Executive Officer for appropriate decision and then the petitioner is informed through the Project Officer by communication dated 19th March, 2019, that the authority for granting approval to the proposal of retirement of the petitioner vests with the Women and Child Development Officer, Zilla Parishad, Nandurbar and accordingly, the matter is submitted to the competent officer i.e. Women and Child Development Officer, Zilla Parishad, Nandurbar on 28th January, 2019 for appropriate decision.

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5. In view of above referred communication, learned Counsel for the petitioner prays for withdrawal of the petition, with liberty to approach the competent authority i.e. Women and Child Development Department, Zilla Parishad, Nandurbar by submitting a representation and apprising him the sequence of events, such as, filling the petition in this Court, orders of this Court, exchange of communication between Deputy Chief Executive Officer and Counsel dated 19th March, 2019 forwarded through the Project Officer to the petitioner, with the prayer of early decision. Counsel then prays for liberty, in case, the petitioner is aggrieved by the decision of the competent authority i.e. Women and Child Development Officer, he be permitted to challenge the decision before appropriate and competent forum including judicial forum.

6. The petition is allowed to be withdrawn, with liberty as prayed for.

7. We further make it clear that, if such a representation is made by the petitioner to the competent authority i.e. Women and Child Development Officer, the said authority to decide the same as early as possible and not later than six weeks from the date of representation, needless to state, on its own merits.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)