

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

**WRIT PETITION NO. 13709 OF 2018**

Surekha Harishchandra Shikare                      ..    Petitioner

**Versus**

The State of Maharashtra and others              ..    Respondents

Shri R. D. Biradar, Advocate for the Petitioner.

Shri A. B. Chate, A.G.P. for Respondent Nos. 1 to 3.

Shri S. M. Ganachari, Advocate for Respondent Nos. 4 and 5.

**CORAM : S. V. GANGAPURWALA AND  
A. M. DHAVAL, JJ.**

**DATE : 12TH MARCH, 2019.**

**FINAL ORDER :**

.        Mr. Biradar, the learned counsel for the petitioner submits that, during the pendency of the present petition, the petitioner has been issued with the order of promotion on 02.01.2019, however, the petitioner ought have been promoted from the earlier date and respondent Nos. 10 and 11 are promoted earlier to the petitioner. Same is illegal.

2.       In that case the petitioner has remedy before the Commissioner, under Rule 14 of the Maharashtra Zilla Parishad (Discipline and Appeal) Rules. The petitioner may avail the said remedy. All contentions of respective parties are kept open. The

writ petition is disposed of. No costs.

3. If an appeal is filed by the petitioner, the Commissioner shall consider the time spent in prosecuting the present writ petition.

**[A. M. DHAVALA, J.]**

**[S. V. GANGAPURWALA, J.]**

*bsb / March 19*