

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3846 OF 2017

Sheela w/o Mangalsingh Chauhan (Nee Sheela d/o Darshansingh Baghel) Nagpur

-vs-

The State of Maharashtra, Medical Education and Drugs Department, Mantralaya, Mumbai 32
Thr. its Secretary and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri J. B. Kasat, Advocate for petitioner.
Ms M. S. Naik, Assistant Government Pleader for
respondent Nos.1 to 3.

CORAM : A.S.CHANDURKAR, J.

DATE : May 02, 2019

Civil Application (CAW) No.1199 of 2019

By this application it is prayed that the respondents be directed to send the name of the petitioner for due consideration in terms of the Government Resolution dated 07/12/2015. Reference is made to the letter dated 04/02/2019 that has been issued by the Joint Director to the Deans of all concerned colleges. It is submitted that the case of the petitioner is covered for being considered under the said Government Resolution dated 07/12/2015.

The application is opposed by the learned Assistant Government Pleader on the ground that the petitioner does not satisfy the requirements of Resolution dated 07/12/2015. It is further submitted that the complaint filed by the petitioner has been dismissed by the Industrial Court and therefore the petitioner is not entitled for any relief whatsoever. Moreover, it is stated that petitioner is not in service presently.

Considering the prayer made in the civil application which is merely for a direction to consider the case of the petitioner in the light of Government Resolution dated 07/12/2015, that direction can be issued in favour of the petitioner. It is always open for the respondents to consider whether the petitioner is entitled for any benefit under that Government Resolution. The respondents are free to take a decision in accordance with law.

In that view of the matter the Civil Application is allowed in terms of prayer clause (A).

Civil Application is disposed of.

JUDGE