

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

72 WRIT PETITION NO.7863 OF 2019

KAMBLE MANISHA SUDHAKAR

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. D. S. Mali, Advocate for the Petitioner.

Mrs. M. A. Deshpande, AGP for Respondents-State.

Mr. Rajdeep D. Raut, Advocate for Respondent Nos.4 to 6.

...

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 02nd MARCH, 2020.

PER COURT:-

1. Mr. Mali, learned counsel for the petitioner submits that the petitioner is appointed as Anganwadi Madatnis in the year 2011. The petitioner rendered the service for five years and as per the impugned order the service of the petitioner is terminated on the ground that the petitioner had third child after the cut off date. The learned counsel submits that the petitioner has begotten third child in the year 2007. The Government Resolution is dated 05.08.2010. It cannot be applied retrospectively.

2. The petitioner is appointed in the year 2011. On the said date the petitioner could not have been considered for appointment as the

petitioner had third child. The petitioner is not within the definition of small family. The petitioner was appointed after the Government Resolution issued prohibiting the appointment of persons not possessing small family.

3. In light of the above, no case for interference is made out.

4. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE