

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8485 OF 2007

Hemlata Kirtikumar Kakade @

Hemlata Jagganath Veer

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Mr. S. S. Pakale, for the Petitioner.

Ms. S. S. Bhende, AGP, for State-Respondents.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 16th NOVEMBER, 2021.

P.C. :-

1. Mr. Pakale, learned counsel for the petitioner states that prayer clause (a) does not survive and therefore he has not press the same. In so far as prayer clause (b) is concerned, Ms. Pathak for respondent no. 3 on instructions states that her client has no objection if issue relating to the grant of approval to the appointment of the petitioner from the date of the school became entitled to have the full time post of clerk in their school from 1993-1994 and benefit of regular pay scale is admissible for consideration is referred to respondent no. 3 for decision in accordance with law. She states that Officer of respondent no. 3 will give personal hearing to the petitioner and will pass appropriate order within 8 weeks from the date of hearing. Statement is accepted.

2. The Petitioner is directed to remain present before respondent no. 3 on 23rd November 2021 at 11.00 a.m. for the purpose of hearing.

3. The petitioner would be at liberty to file written submissions also before respondent no. 3.

4. The order that would be passed by Respondent No.3 would be passed within 8 weeks from the date of hearing and shall be communicated to the petitioner within one week from the date of passing of the order.

5. If the petitioner is aggrieved by the said order, the petitioner would be at liberty to file appropriate proceedings.

6. If any relief is granted in favour of the petitioner, the respondent no. 3 shall release the necessary benefits to the petitioner within 8 weeks from the date of passing of order.

7. Writ Petition is disposed of in the aforesaid terms. No order as to costs.

8. The parties to act on an authenticated copy of the order.

[ABHAY AHUJA, J.]

[R. D.DHANUKA, J.]