

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No. 883/2021

Ku Vishakha D/o Vithoba Madavi

...Petitioner

Versus

State of Maharashtra and ors.

...Respondents

Shri S.N. Nandeshwar, Advocate for the Petitioner

Mrs. K.S. Joshi, Incharge GP for the Respondents - State

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 15 FEBRUARY 2021

P.C.:

Heard learned Counsel for the parties.

2. The Additional Commissioner, Tribal Development, State of Maharashtra issued an advertisement on 18 December 2018 for filling up 23 posts of Superintendent (Female) in Government Ashram School. Pursuant to the advertisement, the Petitioner had applied on 23 January 2019 and appeared for the written examination. A select list was prepared after examination and document verification on 10 September 2019 wherein the name of the Petitioner appeared at Serial Number 6. On 13 September 2019, the Respondent No. 2 issued appointment order to 17 selected candidates out of 23. But, the Petitioner's name was not included

in the list. The Petitioner has filed this Writ Petition for a suitable direction.

3. We note that the Secretary, of the Tribal Development Department, Mantralaya, Mumbai has issued two communications to the Respondent No. 2 – Additional Commissioner. First on 10 December 2020 and a reminder on 29 January 2021 calling for an explanation as to why the Petitioner was not granted an appointment. It appears that the Respondent No. 2 – Additional Commissioner has not responded to these communications. If that is the position, such a conduct cannot be appreciated.

4. The Respondent No. 2 – Additional Commissioner will submit the necessary information/explanation regarding the Petitioner's non-appointment to the Secretary, Tribal Development Department, Mantralaya, Mumbai within a period of four weeks from the date the order of this Court reaches to him. After the explanation is so received, the Secretary will examine the matter and take action as may be warranted in law and facts within a period of four weeks.

5. Accordingly, the Writ Petition is disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]