

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 WRIT PETITION NO. 10114 OF 2019

SIMINTA HARISHCHANDRA PHAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. G.B. Kingre
AGP for the respondent – State : Mrs. V.N. Patil-Jadhav
...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 7 SEPTEMBER 2022

PC :

Heard both the sides.

2. The petitioner had secured appointment on compassionate ground but allegedly by indulging in some forgery. She was dismissed from the service. The Maharashtra Administrative Tribunal allowed her original application inter alia setting aside the dismissal and directing her to be reinstated with a further observation granting liberty to the respondents to take appropriate departmental action against her as per rules. So far as her claim for backwages, the Tribunal kept open an avenue to her to make a representation for claiming backwages depending upon the result of the departmental action. This order was passed by the Tribunal on 20-10-2016.

3. The learned advocate for the petitioner, on instructions, submits that no departmental action has been initiated till date.

4. The Tribunal had expected the petitioner to make representation after conclusion of the departmental action but as the departmental action has not been initiated, we dispose of the writ petition permitting her to make such a representation.

5. On such representation being made, the respondents shall take appropriate decision as regards the backwages to be paid to her.

6. We have not expressed anything on merits.

[SANDEEP V. MARNE]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/