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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7897 OF 2022

Ms. Sweta Richard Gonsalves ... Petitioner
Versus
The State of Maharashtra & Ors. ... Respondents

Mr. N.V. Bandiwadekar i/b Mrs. Ashwini Bandiwadekar for the Petitioner.
Mr. S.B. Kalel AGP for the Respondent-State.

**CORAM : S. V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : 7TH JULY 2022

P.C. :

1. The learned counsel for Petitioner submits that the Petitioner No.1 is appointed as a Junior Clerk with Respondent No.5-School of Respondent No.4-Institution. Respondent No.4 is a minority institution and certificate to that effect is issued on 2nd May 2009. The same is placed on record.
2. The proposal for appointment of the Petitioner was rejected on the ground that there was ban on recruitment during appointment of the Petitioner.
3. The learned counsel for the Petitioners relied upon the judgment of the Division Bench of this Court dated 27th June 2019 in Writ Petition

No.7962 of 2017 along with Writ Petition No.4350 of 2017 and the order dated 20th June 2022 passed in Writ Petition No.1615 of 2022 to submit that ban on recruitment effected subsequently would not apply.

4. In the light of above, the impugned order is quashed and set aside.
5. The Education Officer shall reconsider the proposal seeking approval of the appointment of the Petitioner as a Junior Clerk considering the staffing pattern as was applicable on the date the Petitioner was appointed and shall take decision afresh. The said decision shall be taken within four months.
6. The Writ Petition is disposed of. No costs.

(S. M. MODAK, J.)

(S. V. GANGAPURWALA, J.)