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

WRIT PETITION NO. 2399 OF 2020

Smt. Shalini Sunil Bansode

... Petitioner

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. S.A. Rajeshirke for the Petitioner

Ms. P.N. Diwan, AGP for the Respondents 1 to 4

***CORAM : SUNIL B. SHUKRE &
G.A. SANAP, JJ.***

DATE : 3 MARCH 2022

P.C. :-

Heard the learned Counsel for the parties.

2. Rule. Rule made returnable forthwith. Taken up for final disposal by consent.

3. The Petitioner has been appointed as a Part Time Librarian on 13.06.1996. The contention of the learned Counsel for the Petitioner is that on that date itself the strength of the students in the school was more than 1000 and therefore, the Petitioner is entitled to the benefits of a Full Time Librarian.

4. The reply filed on behalf of the Respondent Nos. 1 to 4 shows that since the year 1996 till the year 2007, the strength of the students in the school was continuously of more than 1000. This being the position, this case would be covered by the view taken by this Court (Nagpur Bench) in Writ Petition No. 1272 of 2015 together with other matters decided on 20 January 2016. In this case, the Division Bench has held that as per the Government Resolution dated 28.06.1994, the part time librarian can be upgraded as a full time librarian if the school satisfies the criteria of total strength of school is minimum 1000 or above.

5. The Petition is, therefore, allowed in terms of prayer clause (b).

6. Rule is made absolute in the above terms. No costs.

G.A. SANAP, J.

SUNIL B. SHUKRE, J.

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