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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

929 WRIT PETITION NO.8558 OF 2023

RATNMALA YADAV DUKARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr G. N. Chincholkar, Advocate for Petitioner;
Mr A. V. Deshmukh, A.G.P. for Respondent No.1
Mr S. B. Pulkundwar, Advocate for Respondent No.2 to 4

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 22nd August, 2023

PER COURT:

1. The Petitioner has filed this petition for seeking an order from this Court that, she is eligible for being appointed as 'Mini Anganwadi Sevika', and the selection process be stayed. She is herself applied for the said post and is participating in the selection process as per the advertisement. Her contention is that, she is eligible to be appointed.

2. The selection process is going on. In the midst of the selection process, this petition is filed seeking a direction that, she should be held eligible and the Respondents be directed to appoint her on the post of 'Mini Anganwadi Sevika'. This means that this

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Court should act as the selection committee and select the Petitioner and issue a Writ of Mandamus for appointing her.

3. The learned Advocate representing Respondent Nos.2 to 4 is right in submitting that, when the Petitioner is already participating in the selection process, which is underway, a petition seeking a direction from this Court to declare that she should be appointed, is virtually calling upon the Court to step into the shoes of the selection committee. This is apparently a frivolous petition and amounts to an abuse of the process of law.

4. In view of the above, **this petition is dismissed.** We could have imposed costs of Rs. 5,000/- to be deposited by the Petitioner with the Advocate Association's Bar Library, High Court, Aurangabad. However, the learned advocate prays that costs may not be imposed. Hence, we are not imposing costs.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk