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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10924 OF 2019**

Sarika Anil Bangadkar

..... Petitioner

Vs.

The State of Maharashtra & Ors.

..... Respondents

Mr. Kiran Bapat, Senior Advocate a/w. Mr. Gaurav Gawande I/b.
Mr. Avinash H. Fatangare for the Petitioner
Mrs. N. M. Mehra, AGP for the State
Mr. Yatin Malvankar for Respondent No.3

**CORAM: S.V.GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATED : MARCH 9, 2023

P.C.

1. Heard Mr. Bapat, the learned Senior Advocate for the Petitioner, the learned Counsel for Respondent No.3 and the learned AGP for the State.

2. As far as order dated 9th August 2019 is concerned, that would hardly affect right of any party. As such, there is no need to dilate upon the same.

3. Under order dated 18th September 2019, the Petitioner is reverted to the post of Assistant State Organizing Commissioner from the post of Joint Secretary.

4. This Court, under order dated 14th November 2019 had stayed the said order and the said interim order is operating since then.

5. It is not disputed by the parties that the Petitioner has acquired necessary qualification for the post of State Joint Secretary and now the Petitioner is in the zone of consideration for further promotional post of State Secretary.

6. The learned Counsel for Respondent No.3 submits that the DPC meeting would be conducted and that the DPC would consider the case of the Petitioner for further promotional post of State Secretary, in accordance with the law.

7. In light of that, as it is not disputed that the Petitioner has acquired the qualification for the post of State Joint Secretary and that the interim order was in operation since November 2019, so also the DPC would consider the case of the Petitioner for further promotional post of State Secretary, the impugned order dated 18th September 2019 is set aside.

8. The Respondent may consider the case of the Petitioner for further promotional post of State Secretary, in accordance with law, expeditiously.

9. Consequential benefits shall follow.

10. The Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE, J)

(ACTING CHIEF JUSTICE)