

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.5242 OF 2019

(Smt. Nirmala w/o Dadarao Anbhore vs. State of Maharashtra and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri P.N. Shende, Advocate for petitioner.

Shri S.M. Ghodeswar, Assistant Government Pleader for
respondent nos.1 and 2.

Shri Kalyan Chiwarkar, Advocate h/f Shri Anand
Parchure, Advocate for respondent nos.3 and 4.

CORAM : A.S. CHANDURKAR AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : JANUARY 23, 2023

The petitioner's husband was engaged as Peon in the School run by the respondent no.3 Management. He died in harness on 8/5/2003. The petitioner sought appointment on compassionate basis. Since the post of Laboratory Assistant was available, the Management appointed the petitioner as part time Laboratory Assistant on 1/7/2008. In the year 2015, two full time posts of Laboratory Assistant became available and in that backdrop, the petitioner sought her accommodation on the full time post of Laboratory Assistant. Proposal to that effect was made to the respondent no.2. It appears that on 19/11/2019, the respondent no.2 had issued a notice to conduct hearing of the proceedings in that regard. The learned Counsel for the parties submit that

thereafter there has been no progress in the aforesaid matter.

2) In the light of aforesaid facts, the respondent no.2 is directed to consider and take a decision on the proposal for appointment of the petitioner as a full time Laboratory Assistant. The necessary decision be taken within a period of six weeks after giving a fresh opportunity of hearing to the concerned parties, if the respondent no.2 so desires. The decision taken be thereafter communicated to the parties. With these directions, the writ petition is disposed of.

JUDGE

JUDGE

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