



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

WRIT PETITION NO. 7193 OF 2024

AMRUTA VYANKATI SHINDE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. S. S. Thombre, Advocate for Petitioner

Mr. S. J. Salgare, AGP for Respondent – State

Ms Megha Y. Mali, Advocate h/f Ms Yogita Thorat, Advocate for
Respondent Nos. 3 and 4

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

DATE : 18.07.2024

PER COURT :-

1. Leave to correct the gender of the Petitioner in the memo of the Petition. Correction be carried out.

2. The Petitioner is said to be facing a criminal case under the Prevention of Corruption Act, 1988. He was arrested and suspended from 07.02.2014, vide the order dated 25.04.2014 and after some time, he was reinstated in service on 29.02.2016. Since then, he is in employment. He is due for promotion. The criminal case is still pending. The departmental enquiry is also pending. Therefore, the Petitioner relies upon the Government Resolution dated 15.12.2017, by which the Petitioner has to be

considered for promotion after a particular passage of time, if the Departmental Enquiry and/or the criminal case are still pending. The result of the selection process is to be maintained in a sealed envelope and it is to be opened in terms of the conditions enunciated in the Government Resolution dated 15.12.2017.

3. The learned Advocate for the Zilla Parishad submits on instructions that the Petitioner would be considered for promotion strictly as per the Government Resolution dated 15.12.2017, since the criminal case as well as the Departmental Enquiry, are pending.

4. By recording the above statement, **this Writ Petition is disposed off.** We direct the Zilla Parishad to follow the Government Resolution dated 15.12.2017 and commence the proceedings for considering the Petitioner for promotion in terms of the said Government Resolution and the result of the promotion process shall be preserved in a sealed envelope as is prescribed in the said Government Resolution, to be opened at the relevant time.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS