



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11127 OF 2024
IN CP/26/2024

SARIKA RAVINDRA BHALERAO
VERSUS
ANUP KUMAR ADDL CHIEF SECRETARY

...
Advocate for Applicant : Mr. S. D. Joshi
AGP for Respondents-State : Mr. S. J. Salgare
Advocate for Respondent No. 2 and 3 : S. K. Kadam
...

**CORAM : NITIN B. SURYAWANSHI, J. AND
MANJUSHA DESHPANDE, J.**

Dated : May 2, 2025

PER COURT :-

1. By this application, applicant seeks recall of the order dated 10.09.2024 passed by this Court in Contempt Petition No. 26 of 2024 in Writ Petition No. 11726 of 2022 and restore the contempt petition at its original position.

2. Learned Advocate for the applicant strenuously urged that though the respondents contended that they have complied with the orders passed in the writ petition, in fact, according to him, there is no such compliance. According to the petitioner, the respondents have flouted the directions given by this Court in the writ petition. Applicant contends that the respondents have relied upon Government Resolution of the year 2017, which in fact, was

superseded by Government Resolution dated 01.08.2019, therefore, the applicant should have been promoted in place of one Mr. Bharose.

3. We find that all these contentions give rise to a fresh cause of action for the applicant to challenge the order of granting promotion to Mr. Bharose and rejecting the claim of applicant. However, we do not find any contempt committed by the respondents while passing the order of promotion.

4. In view of the above, the civil application, being devoid of merits, is dismissed, with liberty to the petitioner to challenge the order of promotion of Mr. Bharose.

(MANJUSHA DESHPANDE, J.) (NITIN B. SURYAWANSHI, J.)

Omkar Joshi