



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

WRIT PETITION NO. 12582 OF 2024

Nasreen Abdul Karim Khan

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

Mr. Nasreen Abdul Karim Khan, Petitioner in person

Mr. R. K. Ingole, Advocate for respondent No. 5

Mr. A. M. Phule, AGP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 19th December, 2025

PER COURT :-

1. Present petition has been filed for following reliefs:-

B) The respondent's may kindly be directed & issued order, to pay compensation and damages, for wrongful suspension, work-place mental & other harassment of Rs. 13,90,00,000/- (Thirteen Crore Ninety Lacks only) till Oc. 2024 + 10,00,000/- (Ten Lacks) per month till execution, with effect from the date of illegal & wrongful suspension i.e. since from 6/11.03.2013 with 18% interest, for violation of Fundamental rights under Article 14, 16 and 21 of Constitution of India.

C) Claim for Rs. 5,00,000/- (Five Lacks only) for compensation, justice & damages in the matter of loss of both Original & Duplicate Service Books with 18% interest.

D) Total Cost of Rs. 25,00,000/- (Twenty Five Lacks) for actual expenditure of representations, appeal, previous writ petition, this writ petition, MAT Court petition, court fees, advocates fees, Xerox, typing, postal charges, online charges, notice, transportation and

other miscellaneous charges with effect from 06/11.03.2013 till today.

2. We have heard petitioner in person.

3. Petitioner states that she was in service since 29.09.1997 to 30.09.2021 as a 'Supervisor' in Integrated Child Development Service, Department of Woman and Child Welfare and ICDS Zilla Parishad, Nanded. She has also stated that she has taken Voluntary Retirement after 24 years 2 days service i.e., before her routine retirement and she states that it was because of the total injustice and violation of her fundamental rights and the harassment at the work place and mental torture.

4. It will not be out of place to mention here that the petitioner has approached this Court by filing Writ Petition No. 701/2016 for direction to decide and consider the representations made by the petitioner putting forthwith her various grievances at the earliest and the said writ petition is still pending for its final adjudication.

5. The petitioner specifically states that she was wrongly and illegally suspended by order dated 06.03.2013 and for the said wrongful suspension, she is claiming compensation and damages as well as by

making statements that she has been harassed mentally at the work place. She is claiming the compensation under the different heads.

6. There is affidavit-in-reply by one Mr. Krishna Fulsing Rathod on behalf of respondents No. 1 and 3 who holds the post of Divisional Deputy Commissioner, Woman and Child Development, Chhatrapati Sambhaji Nagar Division and also there is affidavit of Mr. Prashant Dhondur Thorat, Deputy Chief Executive Officer (WCD), Zilla Parishad, Nanded on behalf of respondent No. 5. Today the petitioner in person has filed rejoinder and it is taken on record.

7. The fact that is required to be considered is that whether compensation can be awarded under the writ jurisdiction of this Court under Article 226 of the Constitution of India when first the earlier writ petition is pending and second there are disputed facts. The remedy for the petitioner, if available, is before the Civil Court and therefore, we do not find this to be a fit case where we can exercise our powers under Article 226 of the Constitution of India.

8. Petitioner in person submits that she is ready to go before the Civil Court for getting compensation but she also prays that the concerned Court should be asked to decide her suit within a time frame. We are afraid that when the suit is yet not filed, we cannot give such

directions. However, taking into consideration the present age of the petitioner, she may request the said Court about the expeditious disposal of the case.

9. In view of all these aspects, we dismiss the writ petition.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi