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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3129 OF 2024

Smt. Vinaya Dattatray Badami ... Petitioner
V/s
The State of Maharashtra and Others ... Respondents.

Mr. Abhijit Desai a/w Mr. Srikant D. Patil, Advocates for the petitioner.
Mr. M.D. Lonkar, Special Counsel a/w Mrs. R.A. Salunkhe, Assistant
Government Pleader for respondent nos. 1, 2, 4 and 5.
Mr. Sudin Gaikwad, Joint Secretary of respondent no.1 present.
Mr. Vilas Bedre, Under Secretary of respondent no.1 present.

**CORAM : A. S. CHANDURKAR &
M. M. SATHAYE, JJ.**

DATE : 11TH MARCH, 2025

P.C. :

1] Pursuant to the order dated 28/01/2025 the learned Special counsel representing the State Government on instructions submits that copy of the inquiry report having been served on the petitioner and her reply having been considered by the Irrigation Department, the punishment proposed to be imposed is now under consideration of the Maharashtra Public Service Commission vide communication dated 04/03/2025. The proposal in that regard is pending. He submits that in view of the order dated 28/01/2025 since the final decision on the inquiry report could not be taken within a period of five weeks as directed, the suspension of the petitioner stands revoked and the order to that effect has been passed on 07/03/2025 which is taken on record and marked "A" for identification. As per this order, the petitioner has

now been posted as an Executive Engineer, Chief Audit Inspector, Chhatrapati Sambhaji Nagar.

2] The learned counsel for the petitioner submits that the petitioner is a single mother having a specially abled child. He therefore submits that her posting at Kolhapur prior to her suspension be continued.

3] We find that it would be for respondent no.1 to take a decision as regards posting of the petitioner after revocation of the order of suspension. It would be open for the petitioner to make a representation in that regard with the respondent no.1 indicating her difficulties stated above. If such representation is made, same shall be duly considered when the annual general transfers are being effected.

4] With the aforesaid liberty and as nothing further survives for consideration in the writ petition, it is disposed of.

5] Parties to act on the authenticated copy of this order.

(M. M. SATHAYE, J.)

(A. S. CHANDURKAR, J.)