

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2011 OF 2024

Sharmila Vaz ... Petitioner
vs.
State of Maharashtra & Ors. ... Respondents

Mr.Swaraj Jadhav for the Petitioner.

Ms.Prachi Takke, Addl.GP with Ms. Shital Malwankar, AGP for
Respondent Nos. 1 to 3, State.

Mr.Arvind G. Kothari for Respondent Nos. 5 and 6.

Mr.C.R.Sadasivan for Respondent No. 7.

**CORAM : RAVINDRA V. GHUGE &
SHYAM C. CHANDAK, JJ.**

DATE : 3rd February, 2025

P.C. :-

1. The reason why the Petitioner has approached this Court is that a Grievance Committee has passed an order on 24th December, 2019 with regard to an issue raised by Respondent No.7 herein. The Petitioner was not a party to the said case. However, the effect of the said order was that the Petitioner was informed that she would be reverted with effect from 1st April, 2022.

2. The learned Advocate appearing on behalf of

Respondent Nos. 5 and 6, Management submits, on instructions, that the entry in the service book of the Petitioner has been made inappropriately. She continues to occupy the post of a Senior Clerk along with the salary and all allowances, as are admissible as per the 6th Pay Commission recommendation. It is further stated that in case, any order adverse to the interest of the Petitioner is to be passed, an opportunity of hearing would be granted and no prejudicial order would be passed without giving her an opportunity of hearing.

3. In view of the above, **this Writ Petition is disposed off.**
The entry made in the service book will be erased.

4. Needless to state, if the employer desires to pass any order, which is likely to be prejudicial to the interest of the Petitioner, an opportunity of hearing would be extended to her by following the due procedure laid down in the law.

5. Insofar as the issue of 7th Pay Commission pay scale is concerned, it is an internal issue between the Management and the Petitioner and if the pay fixation is to be done, the Petitioner would

co-operate so as to enable the Management to issue appropriate directions for payment of the salary as per the 7th Pay Commission recommendation.

(SHYAM C. CHANDAK, J.)

(RAVINDRA V. GHUGE, J.)