



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

948 WRIT PETITION NO. 12689 OF 2024

SANJIVANI RANGNATH SAHAJRAO

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

...

Advocate for the Petitioner : Mr. Aghav A.D.

AGP for Respondent/State : Mrs. V.S. Chaudhari

Advocate for Respondent no.2 : Mr. Suhas R. Shirsat

...

CORAM : NITIN B. SURYAWANSHI AND

VAISHALI PATIL-JADHAV, JJ.

DATED : 22nd APRIL, 2026.

ORDER :

. This petition seeks directions to respondent no.4 to vacate stay granted to the appointment order of the petitioner as Anganwadi Sevika No.4, Dindrud, Tq. Majalgaon, Dist. Beed by order dated 03.01.2024 and to take decision on the representation dated 13.09.2024 submitted by the petitioner for vacating the stay.

2. Admitted facts are that, the petitioner possesses the degree of Bachelor of Commerce. She was working as Anganwadi Helper (Madatnis) in Anganwadi No.7 Dindrud, Tq. Majalgaon, Dist. Beed since 2011. It is her case that by following due procedure, she was promoted as Anganwadi Sevika No.4 at Dindrud by order dated 01.12.2023. Accordingly, she joined on the said post on 04.12.2023.

3. By order dated 03.01.2024, the respondents stayed the appointment order issued to the petitioner by making reference of interim order passed in Writ Petition No.7716/2023 filed at Principal Seat. The said writ petition was disposed of as withdrawn on 03.09.2024. After withdrawal of the said Writ Petition, the petitioner

filed representation/application to the respondent no.4 on 13.09.2024, the same is not yet decided. Hence, the petition.

4. Heard learned Advocate for the petitioner, learned A.G.P for the respondent/State and learned Advocate for respondent no.2.

5. Respondent nos.2 to 4 have filed affidavit-in-reply and contended that the criteria fixed under the Government Resolutions dated 02.02.2023 and 27.02.2024 for appointment by way of promotion to the post of Anganwadi Sevika is the educational qualification and seniority. In the present case, the petitioner possesses Bachelor Degree. However, one J.G. Swami is serving as Anganwadi Madatnis at Anganwadi No.4, Dindrud since 29.11.2007 and she is senior to the petitioner, therefore, the answering respondents is making correspondence to the higher authorities for guidance in the matter of the promotion process.

6. In the impugned order only reason given while granting stay to the promotion of the petitioner is that there is stay granted by this Court at Principal Seat in Writ Petition No. 7716/2023 to the said process. Now, the respondents are not entitled to substitute the reasons for not vacating the stay granted to the promotion of the petitioner. Since the sole reason on which stay was granted does not exist, the stay granted by the impugned order is liable to be vacated. In this view of the matter, the Writ Petition is allowed. The impugned order is quashed and set aside. Respondents are at liberty to take appropriate decision in accordance with rules and law in respect of the promotion of the petitioner.

(VAISHALI PATIL-JADHAV,J.)

(NITIN B. SURYAWANSHI,J.)