

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 1823 OF 2015

VASANT POMA JADHAV  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner : Mr. Shinde Balaji S.  
AGP for Respondents 1 and 2: Mr. D.R. Korde  
.....

**CORAM : S. V. GANGAPURWALA AND  
V. K. JADHAV, JJ.**

**DATED : 2<sup>nd</sup> JULY, 2015**

**P.C. :-**

1. Mr. Shinde, the learned counsel for the petitioner submits that the petitioner is earthquake affected person. There is vacancy with respondent Nos. 2 and 3 and the respondent No.2 and 3 be directed to appoint the petitioner on any post in class III from Earthquake persons category. There is reservation meant for earthquake category persons. However, respondent Nos. 2 and 3 are not considering the claim of the petitioner.

2. Learned counsel for respondent Nos. 2 and 3 submits that the vacancies cannot be filled in by direct appointment and that can be done only after advertisement issued as per the Government Resolution dated 27.10.2009.

3. We have considered the submissions canvassed by the learned counsel for the respective parties. The case of the petitioner seeking directions against the respondents to give appointment to the petitioner directly cannot be considered in view of the judgment of the Full Bench of this Court delivered in writ petition No. 7472 of 2007. The petitioner has to compete as and when the advertisement is issued. In the light of that, writ petition is disposed of. No costs.

**( V. K. JADHAV, J.)**

**( S. V. GANGAPURWALA, J. )**

rlj/