

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

**WRIT PETITION No. 2861 OF 2003
WITH
CIVIL APPLICATION No. 15737 OF 2010**

Mahadev s/o. Eknath Mankar .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. M.C. Bhosale h/f. Mr. P.V. Barde, Advocate for the petitioner.

Mr. S.B. Pulkundwar, AGP for respondent/State.

Mr. R.J. Godbole, Advocate for respondent Nos. 2 & 3.

Mr. R.R. Sancheti h/f. Mr.R.R. Mantri, Advocate for respondent No.4.

**CORAM : A.V. NIRGUDE &
V.K. JADHAV, JJ.**

DATED : 09.02.2015

P.C. :-

1. Heard. The grievance of the petitioner is that he was entitled to promotion as Asstt. Superintendent in 1989, but was given such promotion only in 2001. The selection of the petitioner as Asstt. Superintendent belatedly in 1991 was not based only on seniority, but it was based also on merit. The representation of the petitioner in respect of promotion given to a person in service who was junior to him was not only rejected by the Hon'ble Chief Justice but since the said promotion

again was on the basis of seniority and merit, the same cannot be challenged here in this case. The case of the petitioner was completely different than the case of the other employees. The petition would also fail because it is filed rather belatedly. The petitioner does not deserve any relief. The writ petition is dismissed. Rule discharged. No costs.

2. In view of dismissal of the writ petition, we are of the view that we should not decide the connected civil application on merit for intervention. The same stands disposed of along with the petition.

[V.K. JADHAV, J.]

[A.V. NIRGUDE, J.]