

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

WRIT PETITION NO. 2219 OF 1999

Jayvantrao S/o Keshavrao Kale .. Petitioner

Versus

The Zilla Parishad Nanded and others .. Respondents

Shri M. B. Sandanshiv, Advocate h/f Shri V. P. Kadam, Advocate
for the Petitioner.

Shri V. S. Panpatte, Advocate for the Respondent No. 1.

Smt. Y. M. Kshirsagar, A.G.P. for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
A. I. S. CHEEMA, JJ.**

DATE : 16TH APRIL, 2015.

PER COURT :

. We have heard the learned counsel for the petitioner. According to the learned counsel, the petitioner was working since the year 1993, however is being paid paltry sum that is Rs. 50/- per month. The petitioner is not regularized in service. The petitioner has died in the year 2003.

2. Mr. Panpatte, the learned counsel submits that, no appointment order was issued in favour of the petitioner. It was only for a temporary period that is at the time of examinations of S.S.C., the petitioner was appointed to serve the drinking water.

3. We have considered the submissions canvassed by learned counsel for respective parties. In absence of any appointment order on record, it would not be possible to consider the case put forth by the petitioner. The petitioner could have been referred to the Labour/Industrial Court to agitate his grievance, if the petitioner would have been alive. As the petitioner himself is dead in the year 2003, no purpose would be served by referring the petitioner to the Labour/Industrial Court. As there is no record of appointment of the petitioner as full time employee, nor any appointment order is placed on record, the case of the petitioner cannot be considered. The writ petition as such is dismissed. Rule discharged. No costs.

[A. I. S. CHEEMA, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 15