

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

WRIT PETITION NO. 5245 OF 2015

Kalyansing S/o Vasantsing More .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri A. B. Girase, Advocate for the Petitioner.

Shri D. B. Bhange, A.G.P. for Respondent/State.

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

DATE : 19TH JUNE, 2015.

PER COURT :

. Mr. Girase, the learned counsel for the petitioner submits that, the petitioner has made representation to the authorities for continuing him in the service, more than 50% posts are lying vacant. The petitioner is on daily wages. The respondents are evicting the petitioner from the quarter which is allotted to the petitioner. The petitioner will come on road if he is evicted.

2. Mr. Bhange, the learned Assistant Government Pleader submits that, the quarter in which the petitioner is residing, is meant for Class - II employees. The petitioner is on daily wages, as such cannot retain the same. The petitioner does not have any right either to the post or to the quarter.

3. We have considered the submissions canvassed by the learned counsel for respective parties.

4. It is for the authorities to pass orders on the representation given by the petitioner. As the representation of the petitioner Exhibit - H (page 37 to 40) is pending with the authorities, the authorities shall take decision on the said representation on its own merits in accordance with law expeditiously and preferably within a period of one (1) month from today. Till the representation is decided, the respondents shall not evict the petitioner from the quarter. However, depending upon the decision on the representation, the authorities can take further steps against the petitioner and the quarter. The writ petition is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]