

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.91 OF 2008

Shri Shahaji Bajirao waghmare

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.D.H. Jaybhar advocate for the petitioner

Mrs. M.A. Deshpande, AGP for Respondent No.1, 2 & 3

CORAM : R.M. BORDE &
V.K. JADHAV, JJ

Dated : 15th April, 2015.

PER COURT :-

1 The petitioner, who claims to be a social worker, is seeking writ of mandamus, claiming directions against respondent Nos.1 and 2, to cause an enquiry in respect of appointment of respondents No.13 to 49 on the post of Anganwadi karyakarti and Anganwadi madatnis.

2 It is not a matter of dispute that, a duly constituted committee had carried out the process of appointment to the posts in the year 2001. In pursuance to the letters of appointment, issued in favour of concerned respondents, they have been

inducted in employment and continue to perform their duties since last 14 years. The petitioner has raised a challenge to their appointments on the ground that, the appointing authority as well as the selection committee had not adhered to the procedure prescribed under the relevant Regulations, while making appointments.

3 This petition itself was presented belatedly, in the year 2008, challenging the appointments made in the year 2001. The instant petition is taken up for consideration in the year 2015. This petition is liable to be thrown-out, on the ground of delay and laches, apart from the fact that, the petitioner, who claims to be a social worker, has no locus to maintain the petition, relating to service matters. Reliance can be placed on the Judgment of the Supreme Court in the matter of ***Hari Bans Lal V/s Sahodar Prasad (reported in 2010 (9) SCC 655)***, wherein the Apex Court has cautioned against entertaining public interest litigation in service matters.

4 For the reasons recorded above, the petition does not deserve consideration in exercise of extraordinary jurisdiction under article 226 of the Constitution of India.

5 Writ petition stands dismissed.

6 The petitioner was directed to deposit Rs.10.000/- while issuing notices in the mater and in pursuance to the directions, the petitioner is stated to have deposited the amount. The amount deposited by the petitioner in this Court shall be transferred to the account of Bar Association Library at Aurangabad.

7 Pending Civil Applications do not survive and stand disposed of.

(V.K. JADHAV, J)

(R.M.BORDE, J)

vbd