

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 WRIT PETITION NO. 9254 OF 2013

DATTATRAYA BALAJI GHODKE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr.Nikam Anup R.
AGP for Respondent State:Mr.M.M.Nerlikar
Advocate for Respondent No. 2 and 3 :Mr. P.R.Tandale
Advocate for Respondent no.4 : Mr.S.T.Tare
Mr. M.B. Sandanshiv, Adv., For R/5
Mr.Patil Hanmant V., Adv. for R/6

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CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: April 23, 2015

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PER COURT :-

1. This petition is filed aggrieved by the action of the respondents to grant approval to the services of respondent no.6, and not granting approval to the petitioner's services though, according to the petitioner, he was appointed by Resolution dated 4th June, 2008.
2. Before we invoke the writ jurisdiction, we did ask Counsel for the petitioner; whether the petitioner is appointed in accordance with the procedure established for appointment of Shikshan Sevak. In reply, Counsel for the petitioner submits that by way of passing Resolution, management has appointed him.
3. In our opinion, procedure of making appointment is not followed, and appointment is made by passing the Resolution, contrary to the procedure established.
4. We refuse to exercise writ jurisdiction for the reason that since we find that petitioner's appointment is not in accordance with the relevant Rules and Procedure. Petition rejected.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

AGP/-