FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.49 OF 2015

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr.S.S.Jadhavar, advocate for the petitioner.
Mr.G.K.Naik Thigle, Addl. Govt. Pleader for the State.
Mr.K.J.Ghute Patil, advocate for Respondent Nos.2 and 3.

CORAM : S.V.GANGAPURWALA & V.L.ACHLIYA,JJ.
Date : 07.01.2015.

PER COURT :

1. Heard.

2. Rule.

3. Mr.Naik Thigle, Addl. Govt. Pleader waives notice of Rule for Respondent No.1.

4. Mr.K.J.Ghute Patil, learned counsel waives notice of Rule for Respondent Nos.2 and 3.

5. Mr.Jadhavar, learned counsel for the petitioner submits that the petitioner was directed to be absorbed vide order dated 28.8.2014. The petitioner had joined at the said place, howeverr, vide order dated 7.9.2014, the said order of absorption was cancelled and the petitioner was directed to be absorbed at other

place. According to the learned counsel, the post on which the petitioner was directed to be absorbed vide order dated 28.8.2014 was a sanctioned post. There was no reason to abruptly cancel the same.

6. Mr.Patil, learned counsel for Respondent Nos.2 and 3 submits that place at which the petitioner was directed to be absorbed vide order dated 28.8.2014 was not a sanctioned post. Anomalous situation would have been created for payment of salary.

7. In light of the above, it would not be possible to pass any orders in favour of the petitioner with regard to the order of absorption dated 7.9.2014. However, if the post and the place at which the petitioner was directed to be absorbed vide order dated 28.8.2014 is sanctioned then the Respondent may accommodate the petitioner on the said post. The petitioner may also file representation to this effect to the Respondent which would be considered by the Respondents expeditiously.

8. The Writ petition is disposed of. No costs.

(V.L.ACHLIYA,J.) **(S.V.GANGAPURWALA,J.)**

Dt..07.01.2015.
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