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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1420 OF 2014

Mr. Amol Ashok Vengurlekar & Ors. ..Petitioners.
Vs.
The Municipal Corporation of Gr.Mumbai & Anr. ..Respondents.

Ms. Manda D. Loke for Petitioners.
Ms. Pallavi Thakar i/b U.H. Deshpande for Respondent No.1.

**CORAM: NARESH H. PATIL &
A.S. GADKARI, JJ.**

DATE : 20th February 2015.

P.C.

1 The Petitioners claim that they participated in selection process as per advertisement issued in the year 2009 for being appointed as Apprentice with the Respondent-Corporation. It is claimed that they completed their Apprenticeship training with the Respondent-Authority and after completing the same, they were expecting appointment in the services of the Respondent-Corporation. As the Petitioners failed to secure employment in the Corporation, they decided to file present Writ Petition before this Court.

2 The learned Counsel appearing for the Petitioners submits that under the Circular dated 29th May 2009 issued by the Respondent-Corporation, a policy was adopted to absorb such apprentice in the regular employment of the Corporation. Three of such apprentice were appointed on contract basis.

3 The learned Counsel appearing for the Respondent-Corporation places reliance on the affidavit-in-reply. He submits that the Petition deserves to be dismissed on the ground of delay and laches. In view of the provisions of Apprenticeship Act, 1961, the Petitioners are not entitled to be appointed in regular service.

4 Perused the record and considered the submissions. The provisions of Section 22(1) of the Apprenticeship Act, 1961 reads as under:

“22(1) It shall not be obligatory on the part of the employer to offer any employment to any apprentice who has completed the period of his apprenticeship training in his establishment, nor shall it be obligatory on the part of the apprentice to accept an employment under the employer.”

5 A Waiting List was prepared on 26th July 2011 in pursuance of advertisement issued on 6th November 2009. As per Circular, the said Waiting List dated 26th July 2011 was operating till 26th July 2012, as the validity of the said list was for one year. The Petitioners have challenged the same.

6 In this view of the matter, no interference is warranted by exercising the writ jurisdiction under Article 226 of the Constitution of India to entertain this Writ Petition. The Writ Petition is dismissed.

(A.S. GADKARI, J.)

(NARESH H. PATIL, J.)