

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7831 OF 2013

Bharatkumar B. Patil ... Petitioner

V/s.

The Commissioner
Kalyan Dombivali Municipal Corporation & ors. ... Respondents

Mr. S.R. Khurkute for the petitioners.

Mr. A.S. Rao for respondent no.1 Corporation.
Mr. C.P. Yadav, AGP for respondent no.2-State.

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

7th January, 2015.

P.C.

The petitioner is working as a clerk with respondent Corporation. He participated in the selection process of direct recruitment to the post of ward officer.

2. Learned Counsel for the Corporation submits that petitioner is not qualified to be considered as a ward officer. Learned Counsel for the Corporation further submits that Corporation has decided not to go ahead with the selection process.

3. Learned Counsel appearing for petitioner submits that Ward Officer post is not a promotional post. He has filed a representation for relaxation of the essential conditions so that he could participate and be considered as a ward officer in the direct recruitment process.

4. In the facts and circumstances of the case, we are of the view that petitioner has no right to claim appointment as ward officer. The Corporation shall consider issuing a fresh advertisement.

5. Learned Counsel for the Corporation submits that fresh advertisement will be issued. The Corporation shall take necessary steps, in case petitioner satisfies the essential criteria to participate in the selection process.

6. All issues on merits are kept open. With aforesaid observations, writ petition is disposed of.

(A.S. GADKARI, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.