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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION NO.9487 OF 2012

Smt.Rajani Lokhane & Ors. ...Petitioners
vs.
State of Maharashtra ...Respondent

ALONG WITH
WRIT PETITION NO.9486 OF 2012

Suresh Suryawanshi & Ors. ...Petitioners
vs.
State of Maharashtra ...Respondent

Mr.Sugandh Deshmukh for the petitioners in both the
petitions
Ms M.P.Thakur, AGP for the respondent in both the
petitions
Mr.Mihir Desai for respondent No.5 in both the
petitions.

CORAM : A.S.OKA, &
A.K.MENON, JJ.
DATE : FEBRUARY 23, 2015

P.C.:

1 The learned counsel for the petitioners in Writ
Petition No.9487/2012 states that the first and
seventh petitioners are not pressing the petition.
The learned counsel for the petitioners in Writ
Petition No.9486 states that the first petitioner is
not pressing the petition.

2 The case of the petitioners is that they have
been working on the posts of the Protection Officers
and Counsellors under the provision of the

Protection of Women from Domestic Violence Act, 2005. As far as the appointment of the Protection Officers is concerned, by a separate order passed today in PIL No.152 of 2011, this Court has noted that substantial number of regular appointments have been already made to the posts of the Protection Officers. The appointments have been made after following due procedure. The remaining appointments are under pipe line.

3 The appointment of the petitioners to the relevant posts was never a regular appointment. Therefore, the petitioners cannot claim any right on the basis of such appointments. We are unable to issue a writ directing the State Government to consider the case of the petitioners for relaxation of the prescribed qualifications. If the petitioners are otherwise eligible, they can always apply as and when an advertisement is published.

4 Subject to what is observed above, petitions are disposed of.

(A.K.MENON, J.)

(A.S.OKA, J.)