

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

**WRIT PETITION NO.1492 OF 2013**

Rajesh Keshrinath Deorukhkar & ors. ... Petitioners

Vs.

Mumbai University ... Respondent

a/w

**WRIT PETITION NO.2615 OF 2013**

Shubhangi S. Bhandare & anr. ... Petitioners

Vs.

Mumbai University ... Respondent

Mr.N.V. Bandiwadekar for the Petitioners

Mr.Rui Rodrigues for Respondent

**CORAM: SMT. VASANTI A. NAIK &  
SHRI C.V. BHADANG, JJ.**

**DATE: 6<sup>th</sup> JANUARY, 2015**

**P.C.:**

By these petitions, the petitioners seek a direction to the respondent – Mumbai University to regularise the services of the petitioners on the post of clerks.

We are afraid, that the relief sought by the petitioners cannot be granted in view of the law laid down by the Hon'ble Supreme Court in the judgments reported in **2007(6) Mh.L.J. 667** (*Ramkrishna Chauhan vs*

*Seth D. M. High School*), **2011 AIR SCW 1332** (*State of Orissa & Anr. v. Mamata Mohanty*) **and 2014 (2) SCALE 262** (*Renu and Ors. v. District and Sessions Judge, Tiz Hazari and Another*). Admittedly, it is not the case of the petitioners that the appointment of the petitioners on the post of clerks was made by the Respondent – University after following the due process of recruitment. If the due procedure of recruitment was not followed by the respondent – University, the petitioners cannot seek their regularisation in view of the aforesaid judgments. The judgment of the Hon'ble Supreme Court reported in **(2006) SCC (L & S) 753** (*Secretary, State of Karnataka and Ors. v. Umadevi and Ors.*), and relied on by the learned Counsel for the petitioners, cannot be made applicable to the case in hand.

In the result, the writ petitions are dismissed with no order as to costs.

At the request of the learned Counsel for the petitioners, we continue the ad-interim relief for a period of six weeks only with a rider that no extension of the interim relief would be granted. Order accordingly.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)