

IN THE HIGH COURT OF JUDICATURE AT BOMBAY, NAGPUR
BENCH, NAGPUR.

WRIT PETITION NO.3036 OF 2014

Vithoba Hiraman Khanke

..vs..

**The State of Maharashtra, thr its Secretary, Social Welfare
Department, Mantralaya, Mumbai and ors**

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

Court's or Judge's order

**Shri Amol Mardikar, Counsel for the Petitioner.
Shri T.R. Kanakle, AGP for R-1 & 2.
Shri S.O. Ahmed, Counsel for R-3.**

**CORAM : B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.
DATE : FEBRUARY 25, 2015.**

Heard Shri Amol Mardikar, learned
counsel for the petitioner, Shri S.O. Ahmed,
learned counsel for respondent No.3, and
Shri T.R. Kankale, learned Assistant
Government Pleader for respondent Nos.1
and 2.

The common order of this Court dated
11.10.2006 passed in Writ Petition Nos.667
and 668 of 2005 shows a direction to the
respondents to take the petitioner on waiting

.....2/-

list and accommodate him as and when vacancy becomes available.

The grievance of the petitioner is, since year 2005 he continues on waiting list and has not been absorbed. Our attention is also invited to Communication dated 31.10.2013 sent by the Assistant Commissioner of Social Welfare, Chandrapur to the earlier employer of the petitioner.

Shri T.R. Kankale, learned Assistant Government Pleader for respondent Nos.1 and 2 as also Shri S.O. Ahmed, learned counsel for respondent No.3, submit that, though name of petitioner is borne on waiting list, in absence of vacancy, he could not be accommodated.

The reply-affidavit filed on record by the Government shows that, because of absence of vacant post, the petitioner could not be provided the work.

In this situation, with liberty to the petitioner to make suitable representation to respondent No.2 pointing out availability of vacant post and requesting for absorption against it, we dispose of the present petition. If such representation is made by the petitioner, within six weeks from today, the same shall be considered and decided within next six weeks.

The writ petition is, thus, disposed of.
No costs.

JUDGE

JUDGE

!! BRW !!

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