

**FARAD CONTINUATION SHEET No.**  
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**WRIT PETITION NO. 4901/2015**

(MANGESH JANARDAN RAUT **VERSUS** M.A. & F.S. UNIVERSITY, NAGPUR & OTHERS)

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

Court's or Judge's orders

Shri A.M. Sudame, counsel for the petitioner.

**CORAM : SMT. VASANTI A. NAIK AND**  
**N.W. SAMBRE, JJ.**

**DATE : SEPTEMBER 22, 2015.**

By this petition, the petitioner challenges the appointment of the respondent nos.3 and 4 on the post of Driver in pursuance of the advertisement dated 04.05.2007.

According to the petitioner, the respondent nos.3 and 4 were selected and appointed on the post of Driver by the impugned order dated 10.06.2008, though they were not eligible for the said post. It is stated that an enquiry committee was constituted and that said enquiry committee held in the year 2010 that the respondent no.3 was not eligible.

The relief sought by the petitioner cannot be granted. The petition suffers from laches. The advertisement was issued by the respondent nos.1 and 2 on 04.05.2007. The respondent no.3 was appointed on 10.06.2008. Even if it is assumed that the cause of action arose in this case after the Enquiry Committee held that the respondent no.3 was ineligible, still the petition ought to have filed in the year 2010. The petition is filed on 06.07.2015. The inordinate delay in filing the writ petition is not explained, much less, satisfactorily explained.

Since the petition suffers from laches, the same is dismissed with no order as to costs.

**JUDGE**

**JUDGE**