

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

Writ Petition No. 4897 of 2015

(Ku. Anita Ambadas Nawale Vs. Chief Executive Officer, Z. P., Amravati 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 S. S. Patil, Advocate for the petitioner
Shri A. M. Joshi, AGP for the respondent no. 3

**CORAM : Smt. V. A. Naik and
P. B. Varale, JJ.**

DATE : 30-11-2015.

Heard.

By this petition, the petitioner seeks a direction to the respondents to appoint the petitioner on the post of Junior Assistant(Audit) in pursuance of the selection process initiated in terms of the advertisement dated 1-4-2010.

By an advertisement dated 1-4-2010, the respondents invited applications from eligible candidates for appointment on various posts including the post of Junior Assistant(Audit). The petitioner had applied for the post reserved for the OBC(Woman). It was mentioned in the advertisement that certain posts that were advertised could be reduced as per the requirements of the respondents. It is the case of the petitioner that the post earmarked for OBC(Woman) was reduced and the petitioner's application was considered for the post earmarked for Open (Part Time Employees). The respondent no. 4 was appointed on the post

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earmarked for Open (Part Time Employees), but according to the petitioner, he had not joined on the said post. It is the case of the petitioner that since the respondent no. 4 did not join on the post that was earmarked for the Open (Part Time Employees), the petitioner ought to have been appointed on the said post.

The relief sought by the petitioner in the instant petition cannot be granted. The advertisement was issued in April, 2010 and the selection process was also completed in the year 2010. If the respondent no. 4 had not joined on the post on which he was appointed and if the petitioner was placed immediately below the respondent no. 4 in the select list, the petitioner should have approached this Court within a reasonable time. More than five years have lapsed from the date of the issuance of the advertisement. The select list gets exhausted within a period of one year or two. At this stage, no direction could be issued to the respondents to appoint the petitioner on the post that was earmarked for Open (Part Time Employees) in pursuance of the selection process that was completed in the year 2010.

In the circumstances of the case, we dismiss the petition with no order as to costs.

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