

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

WRIT PETITION No.7280 OF 2014

Harshal Vasantrao Kolure and 2 others.

-Vrs.-

The Director of Agriculture Marketing, Maharashtra State, Pune and 3
others.

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

Court's or Judge's orders.

Mr. Amol Mardikar, counsel for petitioners.
Mrs. Hiwase, AGP for respondent nos. 1 to 3.
Mr. R.J. Kankale, counsel for respondent no.4.

CORAM : B.P. DHARMADHIKARI AND
P.N. DESHMUKH, JJ.

DATED : 6th OCTOBER, 2015

Effort of petitioners is to demonstrate that in view of selection process carried out they are entitled to an order of appointment. Directions are sought to respondent no.4 employer to issue appointment orders.

Shir Mardikar has fairly pointed out that petitioner no.3 along with two Directors has earlier filed W.P. No. 6231/2011 before this court but that petition was ultimately withdrawn and it was for same purpose.

After hearing advocate Mardikar for petitioner, learned AGP for respondent nos.1 to 3 and Advocate Kankale for respondent no.4 we find that recruitment on which petitioners are placing reliance constitute one of the charges in an action under section of 145 of APMC Act against the election of Board of Directors of respondent no.4. That Board

of Directors was superseded and that supersession has been questioned in W.P. No.6747/2013. Learned Single Judge of this court had admitted that petition on 21.2.2014 and interim relief has been continued. In that writ petition, the similarly situated candidate by name Vilas Shankarrao Donode sought intervention but the learned Single Judge has denied the same.

It is apparent that validity or otherwise of the recruitment process is already being looked into by this court in Writ Petition No. 6747/2013.

The petitioners have not received any appointment orders and as such no legal right has accrued in their favour. If selection process itself has created any right in their favour, that right has also not been violated till date.

As such, this court cannot intervene in this writ petition and examine the correctness or otherwise of the recruitment process.

With liberty to the petitioners to approach again if any cause of action accrues in their favour, we dispose of the petition. No costs.

JUDGE

JUDGE