

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

30 WRIT PETITION NO. 770 OF 2016
WITH WP/801/2016

MADHAV GANPATI GHOPADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Gunale V.d.
Mr. SD Kaldate, AGP for Respondents: 1 to 3;
Mr. Swami Sandeep C. Adv. For R/4 To 5.

**CORAM : S.S.SHINDE &
P.R.BORA, JJ.**

DATE : 25th February, 2016.

PER COURT :

1) Heard. Perused the documents placed on record. It appears that an advertisement was issued, pursuant to which, the petitioner had applied and selected and approval to his appointment is granted. Even in Writ Petition No.801/2016, prior permission was granted to advertise the post. In that view of the matter, it is not open for the respondents to now contend that since there was ban on recruitment from the year 2012, there could not have been recruitment process.

2) We, therefore, direct the respondents to consider the proposal for approval to the appointment

of the petitioners without raising a ground that there was ban on general recruitment from the year 2012. However, the respondents will be entitled to verify the facts as to whether the institutions, wherein the petitioners are appointed have completed the backlog of reserved posts. The respondents are further directed to take decision as expeditiously as possible and preferably within six weeks from today and communicate the decision to the petitioners.

3) It is needless to observe that after such decision is taken by the respondents, the respondents shall take expeditious steps to disburse the salaries of the petitioners.

4) Both the petitions are disposed of on above terms.

(P.R.BORA)
JUDGE

(S.S.SHINDE)
JUDGE

bdv/