

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

WRIT PETITION NO.3713 OF 2016

VRANDAVANI BHAGWAN CHAUDHARI
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr.Jadhav
Hanumant P.

AGP for Respondents/State: Mr.S.B.
Yawalkar.

...

CORAM:S.S.SHINDE & SANGITRAO S. PATIL, JJ.

Dated: MAY 02, 2016

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Heard.

2 By way filing this writ petition under Article 226 of the Constitution of India, the petitioner has taken exception to the communication dated 19th October, 2015 issued by the District Coordination Officer, Economic Development Corporation, Osmanabad – respondent No.1 and other officers including respondent No.3 and 4. In the said communication, it is mentioned that the petitioner approached respondents

for redressal of grievance after ten years from the date on which services of the petitioner came to an end. It is stated that services of the petitioner with respondent No.3 had come to an end on 30th June, 1998 and belatedly after ten years period on 29th September, 2011, the petitioner has filed the application praying for reinstatement of the petitioner or appointing the petitioner on any other post than the one occupied by the petitioner. Apart from aforementioned observations in the impugned communication, an assertion by the petitioner that the petitioner has worked for more than 1262 days on permanent establishment, has also been denied. Admittedly, the petitioner approached the respondents belatedly after ten years. Whether the petitioner has worked on the establishment of respondent No.3 for more than 1262 days raises a disputed question of fact. In the light of the stand taken by the respondents that the petitioner has not worked for the said period on permanent establishment and the period for which the petitioner has worked was on contract basis and the appointment of the petitioner was not in accordance with the regular procedure established for

appointment.

3 In that view of the matter, in exercise of writ jurisdiction, it is not desirable to adjudicate the disputed questions of fact and other issues raised by the petitioner and respondents.

4 For the reasons aforesaid, petition stands rejected.

(SANGITRAO S.PATIL, J) (S.S. SHINDE, J)