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

WRIT PETITION NO.2890 OF 2005

Vikas s/o Kallinath Dhange

..PETITIONER

VERSUS

The State of Maharashtra & ors.

..RESPONDENTS

Mr A.D. Shinde, Advocate for petitioner;
Mrs M.A. Deshpande, Asstt. Government Pleader for respondents no.1 & 2
Mr K.J. Ghute Patil, Advocate for respondents no.3 & 4;
Mr T.B. Bhosale, Advocate for respondents no.5 to 10

**CORAM : S. V. GANGAPURWALA
AND N.W. SAMBRE, JJ.**

DATE : 14th September, 2016

ORAL ORDER :

The grievance of the petitioner is with regard to the selection process conducted by Zilla Parishad, Osmanabad for appointment of Shikshan Sevak. It is the case of the petitioner that the Grievance Committee ought to have directed respondent – Zilla Parishad to issue appointment order to the petitioner, instead of directing it to prepare the fresh merit list after excluding the names of the candidates who are already selected and posted from Special Backward Class category. According to the learned Counsel, such direction could not have been issued. The merits of the contention of the petitioner have been accepted by the Grievance Committee and as such, the Committee ought to have directed the Zilla Parishad to issue appointment order to the petitioner.

(2)

2. Learned A.G.P. points out that during the pendency of the proceedings with the Grievance Committee, pursuant to the advertisement issued by the Aurangabad Zilla Parishad, the petitioner is selected as a Shikshan Sevak with Aurangabad Zilla Parishad and as per annexure to Government Resolution dated 27th February, 2003, a candidate having once appointed as a Shikshan Sevak with one Zilla Parishad cannot apply with another Zilla Parishad for the same post.

3. We have considered the submissions. On going through the order passed by the Grievance Committee, we do not find any illegality committed by the Grievance Committee. Moreover, the petitioner is already selected as a Shikshan Sevak with Zilla Parishad, Aurangabad. The same is contended by the petitioner himself. As per clause (६) of annexure to Government Resolution dated 27th February, 2003, a person once having been selected as Shikshan Sevak with one Zilla Parishad cannot apply for the same post with the other Zilla Parishad. The same would also be detrimental to his interest.

4. In the light of above, writ petition stands disposed of. Rule discharged. No costs.

(N.W. SAMBRE, J.)

(S.V. GANGAPURWALA, J.)

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