

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. 6240 OF 2016

KAMLAKAR VISHNU ZAMBRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner: Mr. Talhar Ajay G.
AGP for Respondent/State : Mr. V.H. Dighe

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CORAM : S.S. SHINDE & SANGITRAO S. PATIL, JJ.
Dated: June 21, 2016

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PER COURT :-

This Petition is filed seeking directions to Respondent No.2 to decide the objection/application dated 21st February, 2014 submitted by the petitioner on its own merits and also for quashing and setting aside the order passed by the Joint Director of Higher Education, Jalgaon Division, Jalgaon on 6th January, 2016.

2. The learned counsel appearing for the

petitioner submits that while carrying out the selection process, the Respondent – Management has not followed the provisions of Rule 4 of the Maharashtra Non-Agricultural Universities and Affiliated Colleges Standard Code (Terms and Conditions of Service of Non-teaching Employees) Rules, 1984. The Respondent – Management was supposed to conduct the interview of the candidates, who were applied pursuant to the advertisement, after two weeks and not within two weeks from the date of publication of the advertisement. In the present case, the advertisement was issued on 25th February, 2014 and the interviews were conducted on 3rd March, 2014. It is submitted that though the directions were given by the High Court to decide the objections raised by the petitioner in Writ Petition No. 1920 of 2014 (Kamlakar S/o Vishnu Zambre V/s The State of Maharashtra & others), decided on 5th March, 2014, keeping the said objections pending the impugned order granting approval to the appointment of respondent nos. 5 to 10 has been passed.

3. Upon hearing the learned counsel appearing for the petitioner, we are of

the opinion that in case the direction given by this Court is not adhered to or followed by the Respondents, the appropriate remedy is not filing the successive Writ Petition seeking same directions. Secondly, it is not the case of the petitioner that the appointees does not possess the requisite qualification or interviews were not conducted or their selection was improper.

4. In that view of the matter and since the said appointees have completed more than two years service and approval has been granted by the Respondent Authorities, rights have been crystallized in favour of the Respondents/appointees, therefore, we are not inclined to entertain the Petition, that too at the behest of the petitioner, who was not a part of the selection process.

5. The Writ Petition stands rejected.

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