

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

WRIT PETITION NO. 9868 OF 2015

Javed s/o Rashid Shaikh

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. V.J. Dhage, advocate for petitioner.

Mr. S.K. Kadam, AGP for the State.

Mr. P.D. Suryawanshi, advocate for respondents 3 to 5.

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CORAM : R.M. BORDE &

P. R. BORA, JJ.

DATE : 9th MARCH, 2016.

PER COURT :

1. Petitioner is praying for issuance of directions to the Chief Executive Officer to decide the representation tendered by him, expeditiously.

2. Petitioner contends that his grand-father had donated some landed property in favour of Zilla Parishad for operating primary health center in the village and, at the relevant time, his grand-father was assured that one of the family members would be accommodated in Government employment. According to petitioner, his grand-father has donated the landed property in the year 2004 and, since thereafter, inspite of repeated requests, the State Government has not considered the claim of petitioner for employment.

3. The rules regulating Government employment do not permit the methodology of employing an employee in the mode as contended by

petitioner. Moreover, the oral assurance given on behalf of the State Government cannot be a basis for making appointment in any Government department or local authority including Zilla Parishad. It is also not clear as to who has assured either on behalf of the State Government or the local authority i.e. Zilla Parishad while securing gift of the landed property. The claim of the petitioner does not appear to be in consonance with the relevant recruitment rules framed by the State Government or the local authority. Petition is devoid of substance hence stands rejected.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

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