

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

**CIVIL APPLICATION NO. 1526 OF 2016
IN
WP/1308/2015**

**CHANDRAKANT SANDIPAN JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Applicant : Mr V P Golewar
AGP for Respondents 1,2 : Mr B V Virdhe
Advocate for Respondents 3-5 : Mr S B Ghute

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**CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: March 17, 2016**

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PER COURT :-

1. Heard Mr Golewar, the learned counsel for the applicant, Mr. Ghute, the learned counsel for respondents 3 to 5.

2. The learned counsel for the applicant submits that, the petitioner would not stake claim for pension, however, he is to be considered for promotion as per the various Schemes and Resolutions. Prayer to that effect was also made in the writ petition, however, the same is not considered while passing the final judgment.

3. Mr Ghute, the learned counsel submits that, the petitioner is certainly not entitled for promotional post. He is absorbed vide order dated 27.12.2004 with effect from 1.1.2005 and the representations are also not pending with the respondents. Those representations are given to the Collector and the Commissioner.

4. As far as the prayer with regard to giving retrospective effect to the order of absorption from 31.3.1997 is concerned, the same is dealt with while delivering the judgment in the writ petition itself, wherein it was observed that the same cannot be done.

5. Regarding the aspect of promotion, no arguments were advanced in that regard while dealing with the writ petition.

6. The earlier representation seems to have been made to the District Collector and the Divisional Commissioner. The same are also stale. The petitioner may make a comprehensive representation to the appropriate authorities with regard to his claim of promotion, which representation would be considered by

the Authorities on their own merits, in accordance with the policy and resolutions, expeditiously and preferably within a period of SIX MONTHS from the date of receipt of the representation to it.

7. Civil Application accordingly disposed of. No costs.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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