

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5531 OF 2015

Sheikh Navid S/o Sheikh Rahim and others

-vs-

State of Maharashtra, thr.the Secretary of Social Justice and Special Assistance & Minority
Development Deptt. and another

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

Court's or Judge's Orders.

Mr.S.U.Nemade, counsel for the petitioners.
Ms T. Khan, AGP for the respondent No.1.

CORAM : SMT. VASANTI A. NAIK &
A.S.CHANDURKAR, JJ.

DATE : 04.01.2016.

Though the petitioners had initially sought a direction to the respondent No.2-Chief Executive Officer, Zilla Parishad, Wardha to issue the appointment orders to the petitioners as per their selection, the learned counsel for the petitioners states that the petitioners are giving up the said prayer and the grievance of the petitioners would stand redressed if this Court directs the Zilla Parishad to keep the select list alive till the final adjudication of Writ Petition No.2053 of 2014, pending at the Principal Seat of the Bombay High Court.

By the Government Resolution, dated 24/07/2014, five per cent reservation was provided for SBC (A) category. In pursuance of the said reservation, the petitioners had applied for the posts advertised by the respondent No.2-Zilla Parishad. The petitioners claim to have been selected on the said posts, but no appointment orders were issued in favour of the petitioners. A writ petition bearing Writ Petition No.2053 of 2014 was filed before the Principal Seat of the Bombay High Court and when the matter came up for admission, the Government Resolution, dated 24/07/2014 was stayed. After the said resolution was stayed, the Government issued a Resolution, dated

02/03/2015, cancelling the Government Resolution, dated 24/07/2014 by which five per cent reservation was provided to the SBC (A) category. It is, however, stipulated in the said Government Resolution, dated 02/03/2015 that the admissions secured in educational institutions and the appointments made in view of the Government Resolution, dated 24/07/2014 should not be disturbed till Writ Petition No.2053 of 2014 is decided.

Writ Petition No.2053 of 2014 is still pending and in the circumstances of the case, specially in view of the issuance of the Government Resolution, dated 02/03/2015, no directions could be issued to the Zilla Parishad to retain the list of selected candidates in pursuance of the advertisement dated 22/08/2014. In view of this subsequent development, even the alternate prayer made by the petitioners cannot be granted.

In the result, the writ petition fails and is dismissed with no order as to costs.

JUDGE

JUDGE