

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

WRIT PETITION NO.4295/2014

Jayant Ramchandra Sontakke.vs.Chief Executive Officer, Zilla Parishad, Amravati & another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R. K. Dhande, Advocate for petitioner.

CORAM : SMT. VASANTI A. NAIK AND
V. M. DESHPANDE, JJ.

DATE : APRIL 27, 2016

By this writ petition, the petitioner seeks a direction to the respondents to consider the date of appointment of the petitioner as 12.07.1995 instead of 11.03.2008.

According to the petitioner, the petitioner was selected for the post of the Multipurpose Public Worker on 12.07.1995. The petitioner secured the training but he was not appointed on the said post. After the petitioner made representations to the respondents. The petitioner was appointed on the post for which he was selected. The petitioner has sought a direction to the respondents to consider the date of appointment of the petitioner as 12.07.1995 instead of 11.03.2008.

The relief sought by the petitioner cannot be granted. Though, the petitioner was selected in the year 1995 and was sent for training, the petitioner did not file any proceeding before any competent court for seeking a direction to the respondents for his appointment. It is the case of the petitioner that the respondents ultimately appointed the petitioner on 11.03.2008. Merely because the petitioner was selected in the year 1995, it cannot be held that the date of selection of the petitioner should be considered as the date of his appointment when the date of

appointment of an employee has to be considered from the date on which he is actually appointed as a selected candidate does not have any right of appointment on the post for which he is selected. In any case, since the petitioner was not appointed till 11.03.2008 and had not worked on the post on which he was appointed, the petitioner would not be entitled for a declaration that the date of his appointment is 12.07.1995.

Since, the relief sought by the petitioner cannot be granted, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

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