

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 6099/2014

(DR.BHAVITA GANGADHARAN NAIR **VERSUS** STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri R.S. Deo, counsel for the petitioner.
Shri P.S. Tembhare, A.G.P. for the R-1.
Shri Abhay Sambre, counsel for the R-3.
Shri M.V. Mohokar, counsel for the R-4.

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

DATE : MARCH 14, 2016.

By this writ petition, the petitioner challenges the order of termination dated 22.08.2014 and seeks her reinstatement in service with continuity of service and full back wages.

On hearing the learned counsel for the parties and on a perusal of the writ petition and the reply filed on behalf of the respondent no.3, it appears that the relief sought by the petitioner cannot be granted. The petitioner was appointed by three separate appointment orders on ad-hoc basis only for a period of eleven months till the regular recruitment procedure for appointment of the Lecturers on regular basis was undertaken and regular appointments were made. Though the petitioner appears to have been appointed after the issuance of the advertisement and after her selection, the constitution of the selection committee was not in accordance with the provisions of the Maharashtra Universities Act. When the petitioner filed the instant petition, the respondent no.3 undertook the process for appointment of the Lecturers. In pursuance of the process

undertaken by the respondent no.3, the selection committee as required to be constituted as per the rules and norms of the University was constituted and the appointments are made. The period of eleven months for which the petitioner was appointed has expired during the pendency of the writ petition. Merely because the petitioner has worked with the respondent no.3 as a Lecturer on ad-hoc basis for a period of 2½ years, the petitioner cannot claim regularization, more so, when the procedure as required to be followed by law, was not followed while making the appointment of the petitioner.

Since there is no merit in the writ petition, we dismiss the same with no order as to costs.

JUDGE

JUDGE

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