

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

WRIT PETITION NO. 4184 OF 2016

Sangita Pralhadrao Waghmare .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Nitin K. Choudhari, Advocate for the Petitioner.

Shri S. B. Yawalkar, Addl.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
SMT. VIBHA KANKANWADI, JJ.**

DATE : 03RD NOVEMBER, 2017.

FINAL ORDER :

. The original application filed by the petitioner against the order terminating the service of the petitioner as Krushi Sevak is rejected.

2. Mr. Choudhari, the learned counsel for the petitioner submits that, the petitioner is similarly situated as the petitioner in Writ Petition No. 7071 of 2011 decided on 08.02.2012 and the petitioner in Writ Petition No. 5001 of 2013 decided on 13th November, 2013.

3. Mr. Choudhari, the learned counsel further submits that, subsequently the petitioner had acquired qualification of diploma

in the year 2008, however, the petitioner came to be terminated in the year 2007 only on the basis of an order passed by the Maharashtra Administrative Tribunal at Nagpur. The learned counsel submits that, those candidates who had filed writ petitions before this Court, their writ petitions are allowed. The petitioners therein also acquired qualification subsequently.

4. Mr. Yawalkar, the learned Additional Government Pleader submits that, the case of the petitioner cannot be equated with those petitioners. The petitioner in the afore-referred writ petitions acquired qualification before their termination.

5. We have considered the submissions. In fact, the order is passed by the Tribunal dismissing the original application filed by the petitioner way back on 16.01.2008. The petitioner had accepted said order and after a long slumber of eight years has filed present writ petition in the year 2016. The only explanation given by the petitioner is that, as writ petitions filed by other petitioners were allowed, the petitioner has filed instant writ petition.

6. Even the earlier writ petitions are allowed in the year 2012 and 2013 respectively and after three years present writ petition is filed. Moreover, till the date the petitioner was terminated from service, the petitioner admittedly did not possess the

required qualification. It is only after the petitioner was terminated from service, the petitioner acquired the qualification that too after one year.

7. Considering the delay and the aforesaid conspectus of the matter, we cannot come to the aid of the petitioner. The writ petition as such is disposed of. No costs.

[SMT. VIBHA KANKANWADI,J.] [S. V. GANGAPURWALA,J.]

bsb/Nov. 17