

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

WRIT PETITION NO.858 OF 2005

Suresh s/o Madhukar Wagh ... PETITIONER

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Shri A.S. Kale, Advocate holding for
Shri S.B. Talekar, Advocate for petitioner
Shri S.B. Joshi, A.G.P. for State
Shri Y.B. Bolkar, Advocate for R.No.5
Shri A.S. Deshpande, Advocate for R.No.6 and 7
.....

CORAM: R.D. DHANUKA AND
 SUNIL K. KOTWAL, JJ.

DATED: 29th August, 2017.

ORAL ORDER

1. Not on Board. Taken on Board by consent of parties.

2. Mr. Bolkar, learned counsel for respondent No.5
University invited our attention to the judgment delivered by this
Court in Writ Petition No.6515/2004 in case of Dhairyasheelrao
s/o Dongar Patil Patil Vs. State of Maharashtra & ors., and
submits that, the issue involved in this petition is already
concluded by the said judgment.

3. Mr. Kale, learned counsel for the petitioner is not in a position to distinguish this judgment of this Court. In our view, the issue involved in the petition is concluded by the judgment of this Court, delivered on 8/6/2017 in Writ Petition No.6515/2004. By the said judgment, this Court held that, there is no question of giving approval to the appointment for the post ion question. We are, therefore, not inclined to grant any relief in favour of the petitioner in this Writ Petition. In our view, the said judgment squarely applies to the present case. We are respectfully bound by the said judgment. We, therefore, pass the following order :

ORDER

Writ Petition No.858/2005 is dismissed. Rule is discharged. No order as to costs.

(SUNIL K. KOTWAL)
JUDGE

(R.D. DHANUKA)
JUDGE

fmp/