

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

14 WRIT PETITION NO. 12268 OF 2015

ANIL PAVLAS BANKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioner : Mrs. Uma S.Bhosale
AGP for Respondent State: Mrs. Vaishali H.Patil
Advocate for Respondent No.2 :Mrs. V. A. Shinde

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 5th January, 2017

ORDER:

1. Mrs. Bhosale, the learned counsel for the petitioner submits that the petitioner was appointed by respondent No.2 on the post of Driver on 06.12.2000 on temporary basis. Though the petitioner was appointed for a short period, same was extended from time to time. The petitioner continuously worked up to the year 2003. The petitioner was appointed under a particular programme which came to an end. The petitioner was required to be absorbed in some other scheme of permanent project, however the petitioner was not absorbed. The persons similarly situated as the petitioner were absorbed. The petitioner made representations from time to time to the Authorities to give him work and absorb him elsewhere, however,

requests of the petitioner were not attended.

2. Mrs. Shinde, the learned counsel for respondent No.2 submits that the petitioner was appointed in the year 2000, however, on 01.10.2003, was transferred to Amrawati. The petitioner did not join at the said place. The representation was received by Government from the petitioner, the same was also rejected on 20th September, 2013 and was communicated to the petitioner on 21.10.2013. As the petitioner did not join at the transferred place at any point of time, the representation of the petitioner was rejected. The case of the petitioner could not be considered.

3. This Court, on 27th January, 2016, had asked the petitioner to place necessary documents, material in support of the pleadings that other persons similarity situated like petitioner, who have worked on different posts alongwith the petitioner, are absorbed in other available services. It appears that no such document is placed on record. Be that as it may, the premise on which the present petition is filed is that the petitioner was appointed on 06.12.2000 on temporary basis. The same was extended up to 2003, however, the services of the petitioner were terminated in 2003 and

he was not absorbed.

4. The respondents have placed the record stating that the petitioner had been transferred at Amrawati with the said vehicle but the petitioner had not joined the said post. The petitioner did not join at transferred place and did not serve with the respondent for long slumber of 13 years. Representation given by the petitioner is also rejected. The respondents cannot be said to be at fault. It would not be possible to consider the grievance of the petitioner. In view of that writ petition is disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC