

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

Writ Petition No. 12829 of 2016

District : Nanded

Shri Madhav s/o. Umajirao Bhalerao,
Age : 54 years & 11 months,
Occupation : Working as Commandant,
Home Guards Squad, Kandhar,
Residing at Sujanwadi Tahat Manaspuri,
Post - Bahaddarpura, Kandhar,
Taluka Kandhar, Dist. Nanded. .. Petitioner.

versus

1. The State of Maharashtra,
Home Department,
Mantralaya, Mumbai - 32,
Through its Secretary.
2. The Chief Commandant,
Home Guards,
Maharashtra State,
Mumbai.
3. The District Magistrate,
Nanded.
4. Superintendent of Police,
Nanded. .. Respondents.

.....

*Mr. A.S. Golegaonkar, Advocate, for the
petitioner.*

*Mr. P.S. Patil, Asst. Government Pleader, for
respondent nos.01 to 04.*

.....

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

DATE : 01ST NOVEMBER 2017

ORAL ORDER *(Per S.V. Gangapurwala, J.)* :

01. Mr. A.S. Golegaonkar, learned Counsel for the petitioner, submits that the advertisement was issued by respondent no.03 inviting applications from eligible candidates for the post of District Commandant, Home Guards, Nanded. The petitioner had applied in the prescribed format. Though the advertisement was issued on 11.06.2015, no further steps were taken. Same is detriment not only to the petitioner but for maintenance of law and order. The learned Counsel submits that once advertisement is issued, respondents are duty bound to complete the selection process as expeditiously as possible.

02. Learned Asst. Government Pleader appearing for the respondents submits that it has come to the notice of the respondents, that previously appointed District Commandant on honorarium basis committed various types of economic frauds and misappropriation. A proposal is made to the Department of Home, Government of Maharashtra, for appointment of permanent post of District Commandant, Home Guards, through Maharashtra Public Service Commission.

03. No doubt, appointment and selection of the District Commandant, Home Guards, is a policy decision of the State. It is stated in the affidavit that already proposal is made to the Home Department for filling in the posts through M.P.S.C., naturally

with an intention to have best of the talent who can be selected through rigorous competition. It also appears that the petitioner has crossed the upper age limit.

04. Considering all the aforesaid aspects of the matter, the Writ Petition stands disposed of. No costs.

(Smt. Vibha Kankanwadi)
JUDGE

(S.V. Gangapurwala)
JUDGE

.....