

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12191 OF 2015

Pratap Shivaji Gangurde & Anr. .. Petitioners
-Versus-
The State of Maharashtra & Ors. ..Respondents

Mr. Mahesh Rawool i/b. D.B.Avhad for petitioners
Mr. R.P.Sakhade for respondent No.2
Ms. R.M.Shinde, AGP for respondent No.1.

CORAM : SHANTANU S. KEMKAR &
M.S.SONAK, JJ.

DATE : 20th June 2017.

P.C.

1] Rule. By consent of parties, rule made returnable forthwith. Heard parties.

2] The petitioners participated in the selection process against the advertisement issued by the respondent No.2 dated 2nd February 2010 for the posts of Sales Manager and Assistant Sales Manager. On a complaint addressed to the then Minister of the concerned department, the State issued certain directions and based on the same, the Corporation stayed further action

consequent to the issuance of the appointment letter.

3] The petitioner contended that the same situation prevails as of today. Neither the the petitioners have been posted nor enquiry has been completed. The learned AGP placed reliance on the affidavit in reply and submits that the inquiry is going on and as soon as the inquiry is completed, appropriate decision will be taken. The learned Counsel appearing for the Corporation submits that as the State Government issued directions, appropriate action was taken staying further process.

4] In the facts of this case, we find that the respondent – authority has taken necessary steps regarding the allegations made by the petitioners regarding selection process.

5] It is to be noted that the Division Bench of this Court in identical circumstances on 6th January 2015 passed an order while disposing of the W.P.9372 of 2012 by directing the State Government to complete the inquiry within eight weeks from the said date i.e. 6th January 2015. We have been informed by the parties

that the said inquiry is not still complete. In the circumstances, we dispose of this petition directing the State Government to complete the inquiry as expeditiously as possible. We further direct the respondent No.2 to take appropriate steps consequent upon issuance of appointment orders in favour of the petitioners. It is made clear that the petitioners' appointment shall be subject to the further outcome of the inquiry and petitioners shall not be entitled to claim any equities on the basis of this order.

6] With these directions the petition is disposed of. Rule is made absolute.

(M.S.SONAK, J)

(SHANTANU S. KEMKAR, J)