

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION No. 628/2017.

Mahendra Shivcharan Motghare and others.

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.

DATE : FEBRUARY 01, 2017.

Heard Shri N.D. Thombre, learned Counsel
for the petitioners and Shri P.S. Tembhare, learned
A.G.P. for respondent nos. 1 and 2.

2. Learned A.G.P. points out that this Court
has till date not issued notice in the matter and hence,
he has no instructions on facts. However, according to
him, there is no cause of action.

3. According to learned counsel for
petitioners, in view of recruitment rules of the cadre of
extension officer as amended in 2013, posts of
petitioners do not figure and hence, respondents need
to take suitable decision on their fate and service

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conditions. He submits that nobody has been promoted as extension officer Grade-II.

4. After hearing respective counsel, we find that pleadings are deficient and petitioners have not pointed out any vacancies in promotional cadre or then has not pointed any promotion actually effected by respondent no.3. Merely because rules are amended, no cause of action accrues.

5. However, in this situation, we grant petitioners liberty to make appropriate representation to respondents raising all their contentions. If such representation is made within a period of three weeks from today, respondents shall consider it in accordance with law, within next 12 weeks.

6. Keeping all rival contentions open and with liberty to petitioners to approach again, if any adverse action is taken in the matter in the meanwhile, we dispose of the petition. No costs.

JUDGE

JUDGE

Rgd.