

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

WRIT PETITION NO. 2674 OF 2009

Prashant s/o Murlidharrao **... Petitioner**
Hippargekar
Age 38 years, Occu: Service as
lecturer in ENT,
SRTR Medical College,
Ambajogai, r/o Sahyadri, SRTR
Meedical Colellge Campus,
Ambajogai, Dist. Beed

VERSUS

1. The State of Maharashtra
through the Secretary,
Medical Education and Drugs
Department, Mantralaya, Mumbai
2. The Director of Medical
Education and research,
Maharashtra State, Mumbai
3. The Dean, **... Respondents**
Swami Ramanand Teerth Rural
Medical Colelge & Hospital,
Ambajogai, Dist. Beed.

Mrs. D.S. Jape, AGP for the respondents State.

**CORAM : T.V. NALAWADE &
K.L. WADANE, JJ.**

DATE : 7th March, 2018

JUDGMENT:

1. Nobody present for the petitioner. Seen the order made in O.A. No. 149/2003 by the Maharashtra Administrative Tribunal. Appointment of the present petitioner was on ad-hoc basis and his services

could not have been regularized.

2. This is second round of litigation. In previous matter also it was observed by the Maharashtra Administrative Tribunal that the petitioner can be continued until he is displaced by regular selectee or regular incumbent. O.A. 149/2003 came to be filed when regular incumbent became available and the petitioner came to be displaced. As the petitioner was not regular employee, there was no question of continuing the petitioner in service. However, the Maharashtra Administrative Tribunal has observed that the other claim of the petitioner with regard to entitlement of earned leave for the period for which the petitioner worked, needs to be calculated and therefore whatever reliefs could have been given is given by the M.A.T. Nothing more can be done in the present matter. The writ petition is dismissed. Rule is discharged.

(K. L. WADANE, J.)

(T.V. NALWADE, J.)

JPC