

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

**CIVIL APPLICATION NO.10969 OF 2017
IN
WRIT PETITION NO.8511 OF 2005**

SHAIKH AREFA @ TAYYABA ABDUL RAHIM ..APPLICANT

VERSUS

THE CHIEF EXECUTIVE OFFICER,
MUNICIPAL COUNCIL, LATUR & ORS. ..RESPONDENTS

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Mrs. Kalpalata Patil-Bharaswadkar, Advocate for the
Applicant.

Mr. V. S. Badakh, AGP for Respondent-State.

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**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 14th DECEMBER, 2018.

PER COURT:-

1. The civil application is filed seeking review of the order dated 10.08.2017.

2. Under the said order we had disposed of the writ petition on the basis of statement made by the learned counsel for respondent no.1 that the petitioner has been issued with the appointment order on 04.12.2007 and even, arrears of the salary have been deposited by respondent no.1. The contentions of the learned counsel for the review petitioner is that the petitioner was seeking the posting with the Municipal Council, Latur, however, is posted with Zilla Parishad.

3. According to respondents, considering the availability of the vacancy, the petitioner was absorbed. The petitioner was given appointment order with concerned Zilla Parishad on 04.12.2017 and when the order was passed, had already served for 10 years. There would not be any propriety in setting aside the said arrangement.

4. In case, the vacancy is available with the Municipal Council, the Municipal Council may consider the grievance of the petitioner on its own merits, in accordance with law and policy. The petitioner may make representation to that effect with concerned Municipal Council.

5. Civil Application is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE