

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 WRIT PETITION NO. 441 OF 2013

DR. SANJAY KRISHNAJI BHOKARDOLE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Petitioner : Mr. Bhokarikar Madhav M.
AGP for Respondent/State : Mr. Deshmukh A.V.
Advocate for Respondent No.2 : Mr. Suryawanshi N.B.
...

**CORAM : T.V. NALWADE AND
SUNIL K. KOTWAL, JJ.**

DATE : 18th JANUARY, 2018

PER COURT :

This petition is filed for grant of relief of declaration that the advertisement published in 'Daily Lokmat Jalgaon' on 4th December, 2012 is illegal and the same be quashed and set aside.

2. Both sides are heard.

3. The contention of the present petitioner is that there was no condition like age limit in the policy prepared by the Government to make appointments

on contract basis. The projects were created by various Government Resolutions, but in the advertisement dated 4th December, 2012, the age limit is fixed between 18 Years and 40 Years, and due to that, he cannot apply for the post published in the advertisement, and so, the advertisement needs to be quashed and set aside.

4. This Court had not granted the interim relief.

5. Learned A.G.P. for the respondent-State produced on record copy of Government Resolution dated 15th July, 2011 showing that the higher age limit was prescribed as 40 years. The copy of said advertisement is produced on record by respondent No.4.

6. Learned counsel for the petitioner submitted that in the past there was no such condition and, in the past, the petitioner was working on that post. Said point cannot be raised again as the appointment which was given on contract basis came to an end, and

one Writ Petition filed by the petitioner in the past was also decided, in which limited relief was granted like removal of stigma about the performance. The petitioner wanted to apply again in view of the advertisement and he was of belief that he has satisfied the requisite conditions.

7. Learned counsel for the petitioner placed reliance on the Judgment passed by the learned Judge of this Court in Writ Petition No. 9539 of 2012, in the case of **Ajay Ashokrao Ghatole & Ors. V. State of Maharashtra & Ors.**, reported in **2014 [3] ABR 152**. As the appointment was of contractual nature and the said point is already decided, the observations made by this Court in case cited *supra* does not help the present petitioner. In the result, Writ Petition stands dismissed.

(**SUNIL K. KOTWAL, J.**)

(**T.V. NALAWADE, J.**)

