

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5726 OF 2012

Shri Kunal Parmar and others ... Petitioners
v/s
The Hon'ble Administrator,
Daman, Diu and Dadra and Nagar
Haveli Secretariat, Silvassa and others ... Respondents

Mr Kiran Bapat i/b Mr Avinash Fatangare for Petitioners.
Mr S.S. Deshmukh for Respondent Nos.1 to 4.

**CORAM : B.R. GAVAI &
B.P. COLABAWALLA, JJ.**

DATE : JANUARY 5, 2018

P.C.:

1. The Petitioners have approached this Court contending that despite the Petitioners being found to be eligible as per the selection process on the basis of the advertisement dated 10th August 2011, they have not been appointed. In the affidavit in reply filed on behalf of the Respondents, it is stated that the advertisement was for a temporary period in the scheme Sarva Shiksha Abhiyan. It is stated that the advertisement has clearly stipulated that the posts are

created for one year and therefore, the advertisement was issued.

2. We are of the opinion that the posts were not on permanent basis and as such, no vested right was created as per the settled principles of law. Therefore, not filling the posts in favour of employees unless the fresh appointment order is issued cannot be faulted.

3. There is no merit in the Petition. Petition is dismissed, no order as to costs.

(B.P. COLABAWALLA, J.)

(B.R. GAVAI, J.)