

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

911 CONTEMPT PETITION NO.585 OF 2019
IN WP/11626/2017

DHANANJAY MANOHAR MORE
VERSUS
KADAR PANDHARINATH THEPADE AND OTHERS

...
Advocate for Petitioner : Mr. Patil Paresh B.

...
CORAM : **PRASANNA B. VARALE & AVINASH G. GHAROTE, JJ.**

...
Date: August 28th, 2019
...

PER COURT :-

- 1 Heard learned counsel for the petitioner, at length.
- 2 The grievance of the petitioner is that, in spite of the order of this Court dated 27.6.2018 passed in Writ petition No.11626/2017, the respondents, by giving a go-by to the order of this Court, appointed another person on the post of Librarian. Our attention is invited to the order dated 27.6.2018 of the Division Bench of this Court, passed on the back drop of the grievance of the petitioner that, though the petitioner is qualified, he is not appointed on the post of Librarian in spite of the post being vacant in the institution. The Division Bench, thought it fit to dispose of the Writ Petition observing that the respondent may consider the case of the petitioner for the **post of Librarian** if vacancy is available. (Emphasis supplied).
- 3 In support of his submission, Mr. Patil learned counsel for the petitioner invited our attention to a document placed on record at Exhibit 'H'. Perusal of the document clearly shows that it is an appointment order in favour of one Mr. Dhananjay

Manohar More. He is appointed in a permanent non-grant school of the institute on the post of **Clerk** w.e.f. 4.10.2018. (Emphasis supplied).

4 Then the learned counsel invited our attention to a written information, sought-for and an application submitted to the Education Officer. A conjoint reading of these documents only prompts us to form an opinion that, the petition is nothing but an outcome of an erroneous impression of the petitioner. The petitioner has mislead himself reading the appointment order dated 02.10.2008 as if this order is in defiance of the order of this Court, when the order clearly states that the appointment of Mr. Dhananjay More is on the post of Clerk. An appointment on the post of Clerk was not an issue agitated before this Court in the petition.

5 Thus the petition which is apparently merit-less, deserves to be dismissed at threshold. The same is accordingly dismissed.

6 We make it clear that in case of any person is appointed on the post of Librarian, without considering the claim of the petitioner, the petitioner is at liberty to avail appropriate remedies including filing a contempt petition in this Court, if so advised.

7 The petition is accordingly dismissed.

(AVINASH G. GHAROTE, J.)

(PRASANNA B. VARALE, J.)