

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

WRIT PETITION NO. 7568 OF 2018

**RAJU BAPU MAHALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Patil Sandesh R.
AGP for Respondent No. 1 : Mr. P. S. Patil
Advocate for Respondent No. 2 : Mr. V. B. Patil
Advocate for Respondent No. 3 : Mr. A. S. Bajaj

...

**CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE: 18th DECEMBER, 2019

PER COURT:

1. Mr. S. R. Patil, learned counsel for the petitioner submits that the petitioner was appointed after following proper selection process. The petitioner confirms to all the norms. The petitioner had worked for more than one year. The petitioner was not given any notice nor was heard before terminating the service of the petitioner. The nature of employment was permanent.

2. Mr. V. B. Patil, learned counsel for the respondent submits that the petitioner was not confirming to the norms as per the Government Resolution dated 02.03.2009. The appointment of

the petitioner was subject to fulfilling the terms and conditions of the Government Resolution dated 02.03.2009. The minimum height required is 162 Cms. The petitioner's height is 158 Cms.

3. We have considered the submissions canvassed by the learned counsel for respective parties.

4. The appointment order itself suggests that the petitioner was to fulfill the terms and conditions as laid down in the Government Resolution dated 02.03.2009. It is not disputed by the learned counsel for the parties that the minimum height required for the post of Security Officer is 162 Cms. The petitioner's height is 158 Cms. As the petitioner was not fulfilling the required condition, the order has been passed by the respondent.

5. In light of the above, no case for interference.

6. Writ Petition stands disposed of. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

marathe