

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5666 OF 2018
WITH
CIVIL APPLICATION NO. 2491 OF 2019
AND
CIVIL APPLICATION NO.9447 OF 2018

Ganesh Karbhari Tathe

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. S.C. Swami, Advocate for Petitioner
Mrs. Mrs. G.L. Deshpande, Assistant Government Pleader for
Respondent Nos. 1 and 2

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 8th FEBRUARY, 2019

ORAL ORDER:

1. Mr. Swami, the learned Counsel for the petitioner submits that the petitioner was appointed on 01.07.2013 as Legal cum Probation Officer for the period of three years. The same was to be continued for further two more years. The services were discontinued by the respondents. The learned Counsel submits that now, the respondents have taken decision to outsource the post. The learned Counsel submits that though the petitioner is discontinued, the respondents can be directed to give preference to the petitioner, who has worked for almost five years.

2. The Initial appointment of the petitioner as a Legal cum Probation Officer was on contractual basis for three years under appointment order dated 1st July, 2013. It was to be continued for further two years after considering the performance of the petitioner. The petitioner does not get right to the post. The petitioner is already discontinued from service.

3. In light of the above, the prayer of the petitioner now cannot be considered. As it is petitioner is not in service.

4. Certainly, petitioner can apply pursuant to the advertisement issued. Naturally, the case of the petitioner and the experience be considered by the appropriate authority.

5. The writ petition is accordingly disposed of.

6. In view of the disposal of the writ petition, the Civil Applications stand disposed of.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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