

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10228 OF 2018
WITH
CIVIL APPLICATION NO. 2454 OF 2019

Ratna W/o Tanaji Wankhedkar ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. S.C. Swami, Advocate for Petitioner
Mr. P.S. Patil, Additional 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 18.03.2013 as a Social Worker for the period of three years. The same was to be continued for further two more years. However, on completion of four years, the petitioner was appointed as District Child Protection Officer. After 11 months, 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 learned Additional Government Pleader submits that in fact, petitioner has tendered resignation of the post of Social Worker as being selected as District Child Protection Officer. The said resignation was given on 14.03.2017. The petitioner had worked only for the period of 11 months as District Child Protection Officer.

3. The Initial appointment of the petitioner as a Social Worker was on contractual basis for three years under appointment order dated 18th March, 2013. It was to continue for further two years after considering the performance of the petitioner. However, after four years, the petitioner joined the post of District Child Protection Officer and also issued a letter on 14.03.2017 to this respondent to the effect that as per the selection process conducted on 17.03.2017 for the post of District Child Protection Officer, the petitioner is selected, and as such, the petitioner is leaving the post of Social Worker. The said letter is filed along with the affidavit-in-reply.

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

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

6. The writ petition is accordingly disposed of.
7. In view of the disposal of the writ petition, the Civil Application stands disposed of.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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