

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

915 WRIT PETITION NO.9818 OF 2016

SACHIN DATTUSINGH RAJPUT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Manorkar Deepak S.
AGP for Respondents No.1 to 3: Mrs. G.L. Deshpande
Advocate for Respondents No.4 & 5 : Mr. Bhavthankar V.V.

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CORAM : PRASANNA B. VARALE & R. G. AVACHAT, JJ.
Date: July 17, 2019

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PER COURT :-

1 After arguing the matter for some time, learned counsel for the petitioner prays for withdrawal of the petition with liberty to approach the respondent authority, in view of affidavit in reply filed on behalf of respondent No.6. He invited our attention to the statement made in the affidavit in reply at paragraph no.9 wherein, respondent no.6 states that, "*The deponent does not continued this post due to physically health problem. He is not in position to work as a driver. He is not having any objection if respondent Authority select any person for this post.*"

2 On perusal of the documents placed on record, we find that after undertaking the exercise of selection process, two lists were prepared. Respondent no.6 was placed in the list of selected candidates, whereas the petitioner is placed in the waiting list and the petitioner is the only person in the said waiting list.

3 Considering this fact, respondent No.5, Chief Executive Officer, Zilha Parishad may take an appropriate decision, if the petitioner approaches him, if there is no other legal impediment for considering the claim of the petitioner.

4 With the above observations, the petition is disposed of as withdrawn.

(R. G. AVACHAT, J.)

(PRASANNA B. VARALE, J.)