

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

**168 WRIT PETITION NO.11355 OF 2018**

**PRAKASH SHRIRAM JEDHE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Nagargoje Ankush N.  
AGP for Respondents/State : Mr. A.R. Kale  
Advocate for Respondents :Mr. S.S. Thombre for R/4

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**CORAM : S.V. GANGAPURWALA &  
MANGESH S. PATIL, JJ.  
DATE : 20.08.2019**

**PC. :-**

The petitioner seeks direction against the respondents to allow him to join, so also he is challenging the appointment order in favour of respondent no.6.

2. Mr. Nagargoje the learned counsel submits that there were fourteen Assistant Professors appointed along with the petitioner in the year 2014 on contract basis. The appointment was continued from time to time. Other Assistant Professors appointed along with the petitioner are continued, the petitioner is only discriminated. He is not allowed to join. The petitioner was issued with the appointment order on 16.05.2017 for the academic year

2017-2018, however during the start of the academic year the petitioner had medical problem and as such has sought leave. The leave was extended from time to time. On 21.03.2018, the petitioner requested to allow him to join but he was not allowed to join. According to the learned counsel, illegally the respondents appointed respondent no.6 on Clock Hour Basis. The petitioner in fact is entitled for regularisation of service.

3. Mr. Thombre the learned counsel submits that the appointment of the petitioner was for one academic year. Though, the appointment order was issued for one year, on 16.05.2017 the petitioner did not join.

4. It is a fact that appointment of petitioner pursuant to walk in interview was for one academic year in the year 2014. In 2015 again walk in interview was conducted. The petitioner was appointed for one academic year. In 2016 the same was continued for the academic year 2016-2017 and under order dated 16.05.2017 the appointment was continued for the academic year 2017-2018 on consolidated salary of Rs.24,000/- per month. It needs to be appreciated that after the appointment order was issued to the petitioner he sought leave on the ground that he is suffering from B.P. and stomach ailment. It is only on 08.03.2018, the petitioner gave an application to allow him to join. It seems that for the entire academic year 2017-2018 the

petitioner did not discharge his duties. During the interregnum, respondent no.6 was appointed on Clock Hour Basis to teach the subjects.

5. The petitioner would not have a vested right more particularly when the petitioner had not worked in the academic year 2017-2018.

6. In light of the above, the grievance of the petitioner cannot be entertained. Writ petition is disposed of. No costs.

**[MANGESH S. PATIL, J.]**

**[S.V. GANGAPURWALA, J.]**