

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14183 OF 2016

Shri Avinash Baburao Hanagande .. Petitioner
Vs.
The Zilla Parishad, Kolhapur & Ors. .. Respondents

Mr. Prashant Bhavake, Advocate for petitioner.

Mr.P.P. Jadhav I/b Mr. S.S. Tambekar, Advocate for respondent No.2.

Mr.P.G. Sawant, AGP for respondent No.3.

**CORAM : B.R. GAVAI &
N.J. JAMADAR, JJ.**

DATE : 23RD JANUARY 2019

P.C.

1 The only ground for which the petitioner has approached this Court is that though he is fully entitled to appointment on the post of Junior Engineer (Civil), being at Serial No.1 in the Wait List, and though there is a vacant post on account of termination of Shri Shivaji More, the respondents have not appointed the petitioner.

2 In the reply filed by respondent Nos. 1 and 2 affirmed on 14th January 2019, it is stated that the post which had fallen vacant due to termination of said Shri Shivaji More ceased to be vacant in view of the order dated 27th August 2012 passed by the learned Labour Court, Kolhapur vide which the learned Labour Court has directed to reinstate Shri Shivaji More with 50% back wages.

3 In view of above, the relief claimed by the petitioner cannot be granted. The petition is, therefore, rejected.

[N.J. JAMADAR, J.]

[B.R. GAVAI, J.]