

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

CIVIL WRIT PETITION NO.2851 OF 2019

Maharashtra State Electricity Board
Backward Classes Sr. Engineers
& Officers Association
Through its president

..Petitioner

V/s.

The State of Maharashtra
Through the Secretary,
Dept. of Energy & Ors.

.. Respondents

Mr.R.S. Mirpurg for the Petitioner.

Ms.Rupali Shinde, APP for the Respondent-State.

Mr.Mihir Desai, Senior Advocate I/b Mr.A.A. Joshi for Respondent
Nos.2 to 4.

Mr.Hrishikesh Chavan for Respondent No.5.

Mrs.S.R. Ganbavale for Respondent Nos.7 and 8.

**CORAM : RANJIT MORE &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 11th JULY 2019

P.C.

1. An employment Advertisement No.1 of 2019 issued by the Maharashtra State Electricity Transmission Company Ltd., advertised two posts of Executive Director, namely, Executive Director (Trans) and two Executive Director (MSLDC) for

appointment of candidate on contract basis for the period of three years. The advertisement indicated that both the posts are reserved for Open Category candidates.

2. The petitioners' association assailed the said advertisement on the ground that both the posts have been shown to be filled in from the Open Category and therefore they were aggrieved.

3. By the interim order passed by this Court on 21.03.2019, we permitted the respondent No.4 to proceed with the recruitment process in terms of the advertisement but it was directed that the no appointment order shall be issued. Respondent Nos.6 and 7 are the candidates who are selected in pursuant of the selection process.

4. Today a pursis is filed by respondent No.5 informing this Court that a resolution has been passed on 18.01.2019 by the Maharashtra State Electricity Board Holding Company Limited, as a consequence of which the earlier recruitment process with respect to the post of Executive Director (MSLDC) under the impugned employment advertisement No.1 of 2019 stands cancelled. A

further statement is made that the fresh recruitment process would be conducted in accordance with the resolution passed by the Board of Directors.

5. In light of the statement continued in the said pursis, the learned counsel for the petitioner do not press the relief sought in the petition as far as the post of Executive Director of MSLDC is concerned. As far as the post of Executive Director (Trans) which is to be filled in by an Open Category candidate and the respondent No.6 came to be selected for appointment on the said post, it is informed that he would be issued an order of appointment in furtherance of his selection. We direct the respondents to issue an appointment order in favour of the respondent No.6 to the post of Executive Director (Trans) within a period of one week.

6. With the aforesaid direction the Writ Petition stands disposed of.

(SMT.BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)