

Sequeira

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

WRIT PETITION NO. 3496 OF 2015

Bhausaheb Shankar Mahiras

.. Petitioner

Vs

Yashwantrao Chavan Academy of Development
Administration (Yashad) Pune and another

.. Respondents

Mr.Mihir Desai – Senior Advocate a/w Sariputta P. Sarnath i/b Nitin Dhumal, for the Petitioner.

Mr.TejeshDande i/b M/s.Tejesh Dande & Associates, for Respondent No.1.

Ms.Nisha Mehra – Addl. Government Pleader, for Respondent No.2-State.

***CORAM : PRADEEP NANDRAJOG, C.J. &
N.M.JAMDAR, J.***

Date : 11 July, 2019.

P.C. :

1. Petitioner seeks regularisation of his appointment to the post of Research Assistant with further prayer that during the pendency of the Petition the first Respondent should not appoint any person even on temporary basis on the post held by the Petitioner. Learned counsel for the Petitioner states that immediately after the Writ Petition was filed the service of the Petitioner was dispensed

with by passing an order of termination on 9 April 2015. For reasons unknown the said order has not been challenged.

2. The question of issuing a direction against the Respondent to confer permanent employee's status upon the Petitioner does not arise for the reason he has been dispensed with under an order of termination on 9 April 2015.

3. Declaring the Writ Petition to be infructuous we clarify that if the Petitioner challenges the order terminating his service the prayer for being declared permanent could also be sought in the said Petition.

N.M.JAMDAR, J.

CHIEF JUSTICE