

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

WRIT PETITION NO. 1917 OF 2020

Rahul Bhimrao Tayade

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Rahul O. Awasarmol, Advocate for the Petitioner.

Shri P. G. Borade, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 29TH JANUARY, 2020.

FINAL ORDER :

. We are not inclined to entertain this petition even for a moment.

2. The petitioner seeks to cancel the appointments of present respondent Nos. 5 to 33. These respondent Nos. 5 to 33 were appointed much earlier and have been regularized in the years 2010 to 2012. In the year 2015 the State Government has also taken over the pecuniary responsibility.

3. Mr. Awasarmol, the learned counsel for the petitioner submits that, if these respondents would not have been regularized, then the petitioner could have got an opportunity to apply, as the advertisement would have been issued by the university. These respondents were initially appointed on

contract basis for a stipulated period. The learned counsel submits that, this regularization is against the dictum of the Apex Court in a case of Secretary **State of Karnataka and others Vs. Umadevi and others** reported in *(2004) 7 SCC 132*.

4. The petitioner never participated in selection process along with these respondents at any point of time. These respondents are regularized under the resolution passed by the Management Council in the year 2010 and are working continuously. The grievance of the petitioner that, his claim is affected is hypothetical, in a way that the university would have issued an advertisement and the petitioner may have applied pursuant to the advertisement. The petitioner does not have any vested right as on the date. The regularization is under resolution of the management council and that too in the year 2010 to 2012. We are not inclined to unsettle these persons after a long slumber of ten years after their regularization. Many of these respondents may have crossed the age for fresh employment.

5. The petition is unfounded. The writ petition is dismissed. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]