

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

204 WRIT PETITION NO.4983 OF 2021

**PRASHANT ONKAR KHAIRNAR
VERSUS
THE STATE OF MAHARASHTRA THR THE SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Mr. Kamble Shirish M.
AGP for Respondent 1 : Mr. S.P. Tiwari
Advocate for Respondents 2 & 3 : Mr. Y.B. Bolkar
Advocate for Respondent 4 : Mr. A.V. Hon
...

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.**
DATED : 09/08/2021.

PER COURT :

. Mr. Kamble, learned advocate for the petitioner submits that the proposal forwarded by the respondent No. 4 on 2nd March, 2009 and 15th July, 2009 to the respondent Nos. 2 and 3 ought to be decided by the respondent Nos. 2 and 3. The respondent Nos. 2 and 3 be directed to decide it.

2. We have heard Mr. Bolkar, learned advocate for the respondents. The learned advocate submits that the petitioner has earlier filed Writ Petition No. 5495/2009, seeking direction against the respondents with a prayer that the qualification possessed by him was sufficient for his appointment as a

lecturer and University ought to have given approval. The Division Bench of this Court has disposed of the writ petition on the ground that the petitioner has already lost his job in the year 2009 and replaced by another candidate who was holding requisite qualification. The petition was dismissed.

3. Again the same relief is sought in the present writ petition.

4. The petitioner has at no point of time challenged his discontinuation of service either before the College Tribunal or in the earlier writ petition filed by the petitioner.

5. In the light of the judgment of the Division Bench of this Court in Writ Petition No. 5495/2009 there would be no propriety in entertaining the present writ petition.

6. The writ petition, as such, is disposed of. No costs.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

ssc/