

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

913 WRIT PETITION NO.5792 OF 2018

RAMESH SOPANRAO TALIKOTE
VERSUS
THE ZILLA PARISHAD BEED THRU CHIEF EXECUTIVE
OFFICER AND OTHERS

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Advocate for Petitioner : Mr. Bhosle Santosh B.
Advocate for Respondent Nos.1 & 2 : Mr. K. B. Jadhavar.
Advocate for Respondent Nos.3 & 4 : Mr. R. R. Bangar h/f
Mr. J. D. Maniyar.
Advocate for Respondent No.5 : Mr. A. A. Khande.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 07.09.2021

PER COURT :-

1. We have briefly heard the learned advocates for the respective sides.

2. The grievance raised before us is that the Gram Panchayat had published a notice on 02.08.2015 under the Maharashtra Village Panchayats Act for filling in the post of a Peon. In pursuance of the terms and conditions set out in the advertisement, the petitioner and two other persons namely Mr. Govind Shankarrao Sathe and Mr. Shivaji Dagadu Bhosale,

had applied. They contend that respondent No.5 had never applied for the post. Yet, respondent No.5 was selected and appointed. Respondent No.5 has been working and discharging his duties even on paltry salary.

3. The learned advocate representing respondent No.5, at the out set tenders an apology for having not responded to the two notices issued by this Court. Being a Peon and drawing a meager salary of Rs.5,000/- per month earlier and Rs.3,000/- per month today, he was unwilling to enter into a litigation. The learned advocate further submits that the 5th respondent has not been granted a permanent employment.

4. We find that the petitioner along with two other candidates mentioned above have preferred a representation dated 22.07.2016 to the Chief Executive Officer, Zilla Parishad, Beed. The same is undecided and the learned advocate for the Zilla Parishad submits that the same, by now, with passage of time, may have been misplaced. Yet, if the said representation is in the file, the Chief Executive Officer, Zilla Parishad would take a decision expeditiously.

5. In view of the above, this petition is disposed off.

6. We deem it appropriate to direct respondent No.1 – Zilla Parishad, to commence a proceeding on the representation dated 22.07.2016 at page No.32 of the petition paper book. The Chief Executive Officer, Zilla Parishad shall cause a detailed inquiry into the grievance put forth by the petitioner and shall pass a reasoned order on the said representation after considering whether a proper selection process was initiated and whether the alleged recruitment of Respondent No.5 is permissible in law. This exercise should be concluded, on or before 31.12.2021.

7. Needless to state, any aggrieved party would be at liberty to take recourse to a remedy as is permissible in law.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-