

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

963 WRIT PETITION NO.8051 OF 2021

MUKUND BAPU KERULKAR

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Shivaji T. Shelke, Advocate for the Petitioner.
Mrs. V. S. Choudhari, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : 28th JULY, 2021.

PER COURT:-

1. The proposal seeking approval to the appointment of petitioner as a Junior Clerk is rejected.

2. As far as ground no.1 is concerned, the same would not subsist, as the Government Resolution dated 28th January 2019 is issued fixing staffing pattern. As far as ground of Government Resolution dated 4th May 2020 is concerned, the same would not be relevant. The appointment of the petitioner is dated 01st July 2018, whereas Government Resolution dated 4th May 2020 bars the further recruitment. The same is not given retrospective effect. The said ground cannot subsist.

3. In light of that, the impugned order is quashed and set aside. The Education Officer is directed to decide proposal seeking approval to the appointment of the petitioner as a Junior Clerk afresh. The same be concluded in four months.

4. Writ Petition disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE