

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

11 WRIT PETITION NO.750 OF 2021

**DR. ABHIJEET ASHOKRAO RUMNE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioners : Mr. S. B. Kakde
AGP for Respondent Nos.1 & 2: Mrs. V.S. Chaudhari

...

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

DATED : 18th JANUARY, 2021.

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PER COURT :

1. Mr. Kakade, learned counsel for the petitioners submits that the petitioners were given contractual appointment under order dated 7th March, 2019 by District Health Officer, Zilla Parishad Latur. However, on very next day order was passed to relieve the petitioners and thereafter on 15th June, 2019 fresh orders were issued directing appointment of the petitioners at other places. The learned counsel submits that the order relieving the petitioners on the very next day of issuing the appointment order on 7th March, 2019 is illegal and violating the condition. The learned counsel submits that the same was

against condition No.3, wherein the petitioners were selected for – Taluka and the appointments ought to have been given on the Sub-center of the same Taluka. The same has not been done.

2. We have heard the learned AGP.

3. It is a matter of fact that appointment orders were issued to the petitioners on 7th March, 2019 by District Health Officer, Zillah Parishad Latur. However, on the very next day on 8th March, 2019 they were relieved as these petitioners were excess. Subsequently, under order dated 15th June, 2019 these petitioners are appointed at other sub-stations under Zilla Parishad Latur. The fact remains that the petitioners are discharging their duties under Zilla Parishad Latur, the District remains the same. It appears that the appointments are more than the post at the particular Taluka. The petitioners have been relocated at other places in June, 2019. The petitioners have joined at the places as per the appointment order dated 15.06.2019 and discharging their duties even today though the appointment orders were for a limited period. We need not go into the said aspect. After having accepted the said

appointment orders in June, 2019 at the places where they are discharging their duties today and working for more than 1 & 1/2 year the present petition is filed in December, 2020 challenging the relieving the order dated 8th March, 2019. The petitioners have already acted upon the appointment order dated 15.06.2019 without any demur and for more than 1 & 1/2 year have worked at the said place and thereafter are assailing the same. Same would not be permissible.

4. In light of above, no relief cannot be granted to the petitioners. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)

vsm/-