

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.2503 OF 2020

VILAS KANTAPPA KATKAR

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Subhash K. Savangikar, Advocate for the
Petitioner.

Mr. S. B. Yawalkar, AGP for Respondents-State.

Mr. P. P. More, Advocate for Respondent Nos.2 and
3.

...

CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.

DATED : 04th JANUARY, 2022.

PER COURT:-

1. Mr. Savangikar, learned counsel for the petitioner submits that, petitioner, pursuant to the advertisement issued by respondents applied for the post of Craft Teacher. The petitioner had secured 118 marks out of 200 marks and he was at serial no.4. Two posts were meant for General Category. The learned counsel further submits that, present petitioner is eligible to be appointed. The candidates at serial nos.1 and 2 are out of race. The petitioner is at serial no.2. He is required to be appointed.

2. Mr. More, learned counsel submits that, other candidates had filed Writ Petitions before this Court bearing Writ Petition Nos.6049/2017, 2030/2018 and 4390/2017. This Court had passed orders giving direction to appoint those

petitioners. In view of that, respondents had no option but to appoint all those petitioners. Now the post is not vacant. The learned counsel further submits that, the selection process is of the year 2015 and petition is filed in the year 2020.

3. It is trite that, only because name of person appears in the select list, he does not get the indefeasible right to be appointed. The select list also may not be valid for number of years. The petitioner had approached this Court after five years. Prior to that, other persons who are in the select list had approached before this Court and this Court in Writ Petition No.4390/2017 and 6049/2017 had directed the respondents to appoint those petitioners. They were from General Category. Only two posts were meant for General Category.

4. The appointments of those persons who are already appointed are not assailed in the present writ petition nor the orders of this Court.

5. In light of that, no relief can be granted to the petitioner.

6. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE