

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12593 OF 2022

ANSAR ABDUL BASID KURESHI
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS

...
Advocate for the Petitioner : Ms.S.A.Dhumal
AGP for Respondents 1 and 2/State : Shri P.S. Patil
Advocate for Respondents 3 and 4/ZP : Shri S.S. Tope
...

CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.

DATE :- 15th December, 2022

Per Court :-

1. The learned advocate for the petitioner submits, on instructions, that the petitioner is only praying in terms of prayer clause C that his representations dated 24.02.2017, 29.10.2018 and 04.03.2020, be considered by respondent Nos.2 to 4 and a response may be delivered. He is a project affected person. He is searching for employment.

2. The learned AGP relies upon the judgment delivered by the learned Full Bench of this Court in the matter of *Rajendra Pandurang Pagare and another vs. State of Maharashtra and*

others, 2009(4) Mh.L.J. 961, to support his contention that even a project affected person now has to compete amongst the project affected persons, for selection and appointment.

3. Since Shri Tope, the learned advocate, is the standing counsel for the Zilla Parishad, Jalna, we requested him to render assistance to the Court and accordingly, we have recorded his appearance.

4. The learned advocate for the petitioner submits that the representations have been made and it is for the respondent authorities to consider them strictly in accordance with the law and policies applicable. The petitioner only seeks a response so that he can act accordingly.

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

6. We expect respondent No.2, in coordination with respondent No.4, to consider the representations of the petitioner in the light of the law and policies applicable, including the Government Resolution dated 04.11.2016.

7. We make it clear that we have not expressed any opinion as regards the claim of the petitioner and it is left to the authorities to consider the said claim. If the claim is not

maintainable, the petitioner may be guided as to what are the steps that he is required to take on the basis of his project affected person status.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)