

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 7248 OF 2015

Rekha Gopinath Mehetar ... Petitioner.
V/s.
Khopoli Municipal Council & Others ... Respondents.

None for the Petitioner.

Mrs. S. S. Bhende, AGP for the Respondent-State.

**CORAM : NITIN JAMDAR AND
AMIT BORKAR, JJ.**

**DATE : 31 JANUARY 2022.
(Through Video Conferencing)**

P. C. :

The Petitioner by this petition has sought a writ of mandamus directing Respondent Nos.1 to 3-Khopoli Municipal Council to appoint the Petitioner in Primary School conducted and managed by the Municipal Council on the post of Assistant Teacher.

2. The Petitioner has sought this relief on the basis that having worked as Shikshan Sevak and being recommended by the Municipal Council the Petitioner is entitled to be made permanent on the post sought for. By the impugned order such request has been rejected by the Administrative Officer.

3. The impugned communication rightly takes a stand that

the post which the Petitioner is desirous of being appointed is to be filled in through regular selection process if allowed by the specified Selecting Authority and de-hors this procedure, appointment cannot be given to the Petitioner. There is no error in the view taken by the Administrative Officer. The stand taken by the Administrative Officer is as per the settled law.

4. If the Petitioner is desirous of being appointed as an Assistant Teacher as sought for, it is always open to the Petitioner, subject to applicable rules and regulations, to apply and participate in the regular selection process.

5. No relief can be granted in this Petition. The Petition is rejected.

(AMIT BORKAR, J.)

(NITIN JAMDAR, J.)