

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3695 of 2021

(Jidnyasa Arunrao Kubde vs. The State of Maharashtra and others)

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's
Orders or directions and Registrar's orders.

Mr.A.P.Joshi, Advocate for the petitioner
Mr.N.R. Patil,AGP for the respondents 1 to 4

CORAM : DIPANKAR DATTA, CJ.
& NITIN W. SAMBRE,J.

DATE : 8th September, 2022

1) The petitioner is aggrieved by the order of 19th March 2021, passed by the Vice-Chairman of the Maharashtra Administrative Tribunal, Nagpur Bench, Nagpur dismissing her original application.

2) We have heard the learned counsel appearing for the petitioner and have perused the order impugned.

3) It appears that the petitioner was employed on purely contract basis for two years. Thereafter, her service was terminated on 9th December, 2014. Incidentally, the course for which the petitioner was appointed has already been closed. The learned counsel for the petitioner states that the concerned course has

been continued and the finding of the Tribunal is based on incorrect representation of facts. However, we have not been shown as to how the finding is based on incorrect representation of facts. There is no material on record to establish that the course was continued beyond 9th December, 2014. In any event, the submission of the learned counsel that the concerned Minister desired not to close down the course and to carry on the same is of no assistance. There has to be a policy decision for continuing the earlier course or to reintroduce a course of similar nature. We need not examine such aspect on this writ petition. If at all the course is reintroduced, it shall be open to the petitioner to apply for the post in accordance with law.

4) With the above observations, the writ petition stands dismissed. No costs.

[NITIN W.SAMBRE,J.]

[DIPANKAR DATTA,CJ.]

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