

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO.912 OF 2023

VANDANA MOHAN GAWARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS JOINT
DIRECTOR AND OTHERS

Advocate for Petitioners : Mr. Wagh Shirinivas S
AGP for Respondent No.1: Mr. V.M. Kagne

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 3rd MARCH, 2023.**

PER COURT :-

1. The Petitioner's service is approved since 2010. Her claim is that she has been working from 21.12.2006. By communication dated 20.2.2009, the Deputy Director of Vocational Education and Training, had already informed the management that she cannot be granted approval for the period 21.12.2006. This order is not challenged by the management and by the Petitioner employee.

2. Similarly, the Petitioner's probation period has been approved for the academic year 2008-2009 and 2009-2010, w.e.f. 22.11.2008, by order dated 19.1.2010, issued by the Deputy Director. If at all the Petitioner or the Management had any grievance, this order also could have been challenged.

3. It appears that the management continues to pursue

Respondent No.2, repeatedly, in the same cause praying that the approval be granted from 21.12.2006. Several such representations have been filed repeatedly in 2012, 2014, 2016, 2017 and 2019. It is well settled that repeated filing of representations does not render the cause of action with the character of a recurring cause of action. The department has already taken a decision and has approved the services of the Petitioner from the academic year 2008-2009 onwards. The orders refusing approval from the period 21.12.2006 till the end of academic year 2007-2008, have not been challenged by the management as well as by the Employee, since 2009.

4. In view of the above, this Petition cannot be entertained on account of a long delay and the same is, therefore, dismissed.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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