

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO. 441/2023
IN
WRIT PETITION NO.13/2022

THE DIRECTOR,
DIRECTORATE OF HIGHER
EDUCATION

..... Applicant.

Versus

NARAYAN ANAND KHARADE

..... Respondents.

Mr D.J. Pangam, Advocate General with Ms Maria Correia,
Additional Government Advocate for the Applicant-State.
Respondent No.1-Original Petitioner in person.
Mr Akhil Parrikar, Advocate for Respondent No.5.
Mr S. Karpe, Advocate for Respondent No.7.

CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.

DATED : 9th October 2023

P.C. :

1. Heard the learned Advocate General, who appears along with Ms Maria Correia, Addl. Govt. Advocate for the Applicant-State and Mr Kharade, the original Petitioner in Writ Petition No.13/2022.

2. By this Civil Application, the State seeks an extension of time in complying with the statement about filling up the position of Assistant Professor in Acting & Direction (Kala Academy) within six months from the date of our order dated 28/11/2022. The learned Advocate General has tendered an

affidavit of the Under Secretary (Higher Education) dated 6/10/2023 concerning certain subsequent events.

3. The record bears out that though, the post had to be filled in by 28th May 2023, however the first three candidates, including Mr Narayan Anand Kharade, declined to accept the offers. As a result, a fresh advertisement has been issued for filling up this post.

4. The learned Advocate General states that within four months from today this post would be filled up. This statement is accepted.

5. Mr Kharade has certain grievances about the selection process. He states that it is because of these grievances, he refused to accept the offer of appointment. In case the original Petitioner has grievances about the selection process, it is up to him to take out appropriate proceedings to challenge the same and seek appropriate reliefs.

6. However, we are satisfied that the extension of time, as prayed for, is required to be granted because substantial steps were taken for filling up the post. Merely because the first three candidates declined to accept the offers, the post could not be filled up. A fresh advertisement has also been issued.

7. Therefore, considering the above circumstances, we allow this application for extension and extend the time for filling up this post by four months from today. Further, once again we clarify that the original Petitioner-Mr Narayan Kharade is at liberty to take out appropriate proceeding for questioning the

selection process, etc., if he so chooses to. All contentions of all parties, in this regard, would be kept open.

8. This application is disposed of.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

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