

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12720 OF 2022

Namdeo G. Ahirrao

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

Mr. Varun Joshi a/w Mr. Suhas Deokar, Ms. Rama Somani i/by
Chetan Alai for petitioner.

Mr. M. M. Pabale, AGP for State.

**CORAM: S. V. GANGAPURWALA, ACTING CJ. &
SANDEEP V. MARNE, J.**

DATE: MARCH 23, 2023

P.C.:

- 1.** The petitioner was appointed as a Police Patil. The said appointment was challenged before the Tribunal. The Tribunal allowed the original application setting aside the appointment of the petitioner as Police Patil.
- 2.** The appointment of the petitioner as Police Patil is set aside on the ground that the petitioner has taken up part time employment as a Librarian.
- 3.** The learned counsel for the petitioner submits that there is no prohibition for taking up part time employment. The petitioner is appointed as party time Librarian in a private aided school in the same village. The prohibition is for full time job.
- 4.** It is admitted by the learned counsel for the petitioner that the term of the petitioner as Police Patil has come to an

end. The appointment of the petitioner as Police Patil was for a period of five years. The five years have lapsed.

5. In view of that, issue raised in the petition has remained academic. It would not be necessary to decide the said issue in the present writ petition.

6. In light of that we dispose of the writ petition as the period of the petitioner to function as Police Patil has come to an end. The point of law raised by the learned counsel for the petitioner as regards the prohibition to full time job and not a part time job of a Librarian is kept open.

7. In case the petitioner is required to agitate the similar issue, then the present order would not be an impediment.

8. The writ petition is disposed of. No costs.

(SANDEEP V. MARNE, J.) (ACTING CHIEF JUSTICE)

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DASHARATH
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