

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 5515 OF 2023**

Pravin Shamrao Ghare

.....Petitioner

V/s.

The State of Maharashtra, thr.
Principal Secretary, Home Dept.
and Ors.

.....Respondents

Mr. Sandeep Dere, Advocate for the petitioner.

Mrs. R.A. Salunkhe, AGP for State.

CORAM : S.V. GANGAPURWALA, ACTING CJ &**SANDEEP V. MARNE, J.****DATE : 24th APRIL, 2023.****P.C. :**

1) The petitioner has filed Original Application seeking appointment to the post of Police Patil alongwith an application for condonation of delay. The Tribunal did not entertain the application for condonation of delay and rejected it.

2) Mr. Dere, learned Advocate for the petitioner submits that delay was of one year. Though the delay was not properly explained, the Court ought to have considered that the petitioner

has a good case on merits. The petitioner was at serial no.2 . Before the appointment order was issued to the person at serial no.1, the petitioner has raised objection about his eligibility. Inspite of that, the person at serial no.1 was appointed as a Police Patil. Subsequently, his appointment was found to be illegal. He was terminated. The petitioner ought to have been appointed on the said post. As the delay was not condoned, the petitioner could not bring to the notice of the Tribunal all these aspects.

3) As per the advertisement, the appointment of Police Patil is of five years. The advertisement is of the year 2017. The period of five years has come to an end. Be that as it may, if fresh publication is issued, the petitioner may apply has may be permissible in accordance with law.

4) It is submitted that the respondents have not issued advertisement for filling up the posts of Police Patil of Village-Done.

5) The State may taken steps to issue proclamation for filling up the posts as expeditiously as possible. Writ Petition is disposed of. No costs.

**NEETA
SHAILESH
SAWANT**

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

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NEETA SHAILESH
SAWANT

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