

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

29 WRIT PETITION NO. 8468 OF 2022

VANDANA VINOD BHAVSAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for the Petitioner : Mr. Wagh Shirinivas S.
AGP for Respondents/State : Mr. S.M.Ganachari
Advocate for Respondent Nos. 2 & 4 : Mr.Desale Nilesh N.
...

CORAM : KISHORE C. SANT, J.
DATE : 16.10.2024.

PER COURT :

1. This petition is filed challenging communication by the office of Divisional Commissioner, dated 24.05.2022 disposing off the appeal as not maintainable. The said appeal was filed challenging the order passed by the learned Chief Executive Officer, Zilla Parishad, Dhule rejecting the present application of the petitioner. The request of the petitioner was to confer on him the benefits of permanency. The petitioner was initially appointed on contract basis only for a period of 11 months. First such order was passed on 30.07.2010 and

thereafter from time to time by giving technical breaks she was given appointment till 2019. The petitioner instead approaching the Industrial Court seeking permanency benefits to this court by filing Writ Petition No. 14479 of 2019, this court disposed off the Writ Petition directing the petitioner to approach the concerned authority. It is thereafter, the petitioner approached the C.E.O., Z.P. The learned Chief Executive Officer (for short CEO), Zilla Parishad, rejected the representation of the petitioner.

2. Learned Advocate for the Zilla Parishad has rightly pointed out that the remedy for the petitioner was infact to approach the proper forum for seeking regularization /permanency in the service. The C.E.O. does not have any authority to pass any order to give regularization or permanency in such cases. The learned Advocate for the petitioner, in view of the above position seeks leave to withdraw the petition, on instructions, with liberty to approach the proper forum.

3. Leave granted with liberty as prayed for. Needless to

say that time consumed in prosecuting Writ Petition No. 14479 of 2019 and prosecuting this petition shall be excluded while calculating the period of limitation for condonation of delay if any while filing proceedings.

4. With this the Writ Petition stands disposed off.

**(KISHORE C. SANT)
JUDGE**

mahajansb/