



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 10232 OF 2024 IN WP/2847/2024

VISHAL SANDIPAN DESHMUKH
VERSUS
SANTOSH SHIVSHANKAR GORE AND OTHERS

...
Advocate for Applicant : Mr. Avishkar S. Shelke
AGP for Respondents No.1 and 3 : Ms. R. R. Tandale
Advocate for Respondent No.3 and 5 : Mr. U. B. Bondar
Advocate for Petitioner in W.P. : Mr. S. S. Jadhavar

...
WITH WRIT PETITION NO. 2847 OF 2024
...

**CORAM : S. G. MEHARE &
SANDIPKUMAR C. MORE, JJ.**

DATE : 19-03-2025

PER COURT:-

1. It is a case pertaining to the appointment as a Health Supervisor. The original petitioner had secured 122 marks from Open category. However, during the scrutiny, he was found ineligible due to overage. Therefore, he was not served with appointment order. The applicant/original respondent No.5 is seeking vacation of *interim* stay. He was from Economically Weaker Section (EWS) category. He has secured 120 marks. However, a vacancy due to non-eligibility of the petitioner in open category was available and the applicant / respondent No.5 was appointed. He had joined services but due to *interim* protection granted to the petitioner, respondent No.3/the Chief Executive Officer did not allow him to work further.

2. The learned counsel for applicant/original respondent No.5 states that he was in employment earlier to the selection. Since he was appointed, he has left his earlier job. Therefore, he is out of employment. Therefore, he seeks vacation of stay. Hearing the application for vacating of stay would amount to hearing the petition finally. Hence, list this matter for final hearing at the admission stage on 28.03.2025, at 2.30 p.m.

[SANDIPKUMAR C. MORE]
JUDGE

[S. G. MEHARE]
JUDGE

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