



{1}

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 WRIT PETITION NO. 15499 OF 2025

Hemant Arvind Hangekar

VERSUS

The State Of Maharashtra And Others

.....

Mr. Rhahaji K. Shinde, Advocate for Petitioner

Mr. V.M. Kagne, AGP for Respondent No.1-State

Mr. Avinash Aghav, Advocate for Respondents No.2 and 3

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 28 JANUARY, 2026

PER COURT [Per Hiten S. Venegavkar, J.] :-

1. The present petition under Article 226 of the Constitution of India challenges the order dated 14.11.2025 passed by respondent No.2-Chief Executive Officer, Zilla Parishad, Ahilyanagar.

2. The petitioner states that in the year 2006, he came to be appointed as Clerk in Gram Panchayat, Rajur and since then he has been working with the said Gram Panchayat. Respondent No.2 has prepared a seniority list as per the provisions of Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 for the promotions of its employees to the higher post such as 'Statistical Extension Officer'. Accordingly, all the Panchayat Samities and Gram Panchayats were directed to provide the list of their employees along with necessary documents in accordance with a seniority list. The petitioner was issued

{2}

with a certificate dated 29.09.2015 by the said Gram Panchayat stating that the petitioner is continuously working with them as a Recovery Clerk since 2006 without any break in his services. It is also mentioned in the said certificate that the petitioner's employment with the said Gram Panchayat is approved and the petitioner is a permanent employee. The seniority list came to be prepared by respondents No.2 and 3 on 26.12.2023 after the list of employees was received from all the departments and also on that basis, the vacancies for various posts were decided. The petitioner states that the petitioner was shown at Sr. No.106 in the seniority list for the post of Statistical Extension Officer and the petitioner belongs to the Other Backward Class category. The name of respondent No.4 was shown at Sr. No.152 with seniority number as 297 from the Scheduled Caste category. Thus, according to the petitioner, he is senior to respondent No. 4 and, therefore, his name was shown at Sr. No. 1 in the said list in the category of promotion to the post of Statistical Extension Officer. The petitioner states that on 29.05.2025, respondent No.3 also prepared a seniority list of various panchayat employees and in that list as well the petitioner's name was shown at Sr. No.77 while the name of respondent No.4 was shown at Sr. No.121 again demonstrating that the petitioner was senior to respondent No.4. The respondent No.2 when decided to fill up the post of Statistical Extension Officer by letter dated 26.09.2025, respondent

{3}

No.3 directed the petitioner and the candidates to remain present on 01.10.2025 with all the necessary documents for verification. The verification of the documents took place on 01.10.2025 and 03.10.2025. On 17.11.2025, the petitioner, while taking a search on the website of respondent No.2, found an order dated 14.11.2025 issued by respondent No.4 stating that respondent No.4 has been appointed to the said post of Statistical Extension Officer. Aggrieved by the appointment of respondent No. 4 on the ground that the petitioner is senior to respondent No. 4 in the seniority list maintained throughout the department and that, even at the time of preparation of the select list, the petitioner was shown at Sr. No. 1, the petitioner has approached this Court challenging the appointment of respondent No. 4.

3. The learned advocate appearing for respondent No. 4 has referred to the communication dated 21.09.2023 issued by the Zilla Parishad administration, wherein the procedure required to be adopted for making appointments under the 10% quota from among the employees of the Gram Panchayat to posts in the Zilla Parishad is prescribed. He submitted that the said appointments are required to be made on the basis of seniority alone and not on the basis of reservation. He also referred to the minutes dated 26.12.2023, wherein the petitioner's name has been shown at Sr. No.106 with seniority number as 236, while the name of respondent No.4 has been mentioned at Sr.

{4}

No.152 with seniority number as 297. He accordingly submitted that all the documents clearly suggested that the appointment of the petitioner should have been done in accordance with the seniority.

4. The learned advocate appearing for respondents Nos. 2 and 3 argued that appointments required to be made under the 10% category are made on the basis of seniority as well as the requisite qualifications. In order to substantiate his submissions, he referred to the minutes dated 03.10.2025, wherein the qualifications required for such appointments to the post of Extension Officer (Statistics) are specifically mentioned. It is necessary for the employee to possess a degree in Economics, Mathematics, or Statistics, passed in either the First Class or the Second Class. He then submitted that a supplementary minute was prepared in which the said aspect was considered and it was also clearly mentioned as to how and for what reasons the petitioner was held disqualified for the said appointment. He submitted that, due to insufficiency of the educational qualifications required for the said post, though the petitioner was shown as senior to respondent No. 4, his candidature was not considered for appointment

5. When we inquired with the learned advocate for the petitioner regarding the petitioner's qualifications, the learned advocate for the petitioner fairly submitted that the petitioner possesses a Bachelor's

{5}

degree in Economics, but in the Pass Class. Thus, it is now a matter of record that the petitioner does not possess the requisite qualification for appointment to the post of Extension Officer (Statistics). As there is absolutely no challenge to the educational qualifications possessed by respondent No. 4, and the reasons on the basis of which respondent No. 4 has been appointed to the said post, we do not find any arbitrariness or illegality committed by the respondents while appointing respondent No.4. Accordingly, the writ petition has no merits and stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane