

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.1953 OF 2005
WITH
NOTICE OF MOTION NO.265 OF 2019
IN
WRIT PETITION NO.1953 OF 2005**

Sanjay S Sawant and Ors. Petitioners

Vs.

B.M.C.S & Ors. Respondents

**WITH
WRIT PETITION NO.2126 OF 2007**

Ms. Prachi Khandge a/w. Swati Chedda I/b M. P. Vashi & Associates
for the Petitioners
Mrs. Shilpa Redkar for the Municipal Corporation

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

DATED : FEBRUARY 20, 2023

P.C.

1. The learned Counsel for the Petitioner submits that the regular appointment letter was issued to the Petitioner in year 2003. The Petitioner was appointed on contract basis in the year 2000. Thereafter, in the year 2003, the Petitioner was issued fresh appointment order on probation basis. Thereafter in 2005 again appointment letter was issued to the Petitioner.

2. We do not find any letter of appointment of the year 2003 in the name of the Petitioner.
3. In Writ Petition bearing No.1251 of 2000 filed by the similarly situated persons, the Division Bench of this Court, under order dated 12th February 2002 disposed of the petition by observing that the Corporation has agreed to consider the candidates whose names are appearing in the select list by relaxing their age condition. The Court directed that as and when the recruitment process is undertaken for appointment of security guards, the Corporation shall give priority to the candidates in the select list by relaxing the age list subject to their being medically fit and subject to reservation policy.
4. In view of the above, the Petitioners, certainly cannot claim appointments since the year 2000.
5. The learned Counsel for the Petitioner seeks time to place on record the appointment order of the year 2003, as claimed by the Petitioner.
6. Place the matters on 16th March 2023.

(SANDEEP V. MARNE, J)

(ACTING CHIEF JUSTICE)