



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

52 WRIT PETITION NO. 8196 OF 2024

RAVIKUMAR MANIK TENGRE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Ms Priyanka R. Deshpande, Advocate for Petitioner

Mr M. M. Nerlikar, A.G.P. for Respondent Nos.1 & 2

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRAGADE, JJ.

DATE : 5th August, 2024

PER COURT:

1. By the judgment of this Court dated 01/03/2017, delivered in Writ Petition No.2011/2016, the Petitioner's appointment was set aside. By an order dated 24/03/2017, passed in Review Application No.83/2017, this Court modified the earlier judgment and directed that the Petitioner should be transferred to the earlier post as 'Junior Assistant (Clerical)', with continuity in service. The Petitioner had carried both these orders to the Hon'ble Supreme Court in Special Leave Petition (Civ.) No.22276-22278 of 2017 and by an order dated 01/10/2018, Special Leave Petitions were disposed off and it was left open to

(2)

the Petitioner to approach the Zilla Parishad for pointing out a vacancy available, so as to be considered on that vacancy.

2. Today, in this Writ Petition before us, the prayer of the Petitioner is that, Respondent No.4 (Rupesh Pandurangji Surjuse), (who had earlier challenged the appointment of the Petitioner), should be terminated by a Writ of Mandamus and the Petitioner should be granted an appointment in his place, with a direction to the Zilla Parishad to appoint him on the post of a 'Junior Accounts Officer' in the Zilla Parishad, Dharashiv.

3. **Keeping open the issue of maintainability of this Writ Petition and the locus of the Petitioner**, issue notice to the Respondents, returnable on 09/09/2024. The learned A.G.P. waives service of notice on behalf of Respondent Nos.1 and 2.

4. All office objections shall be removed on or before 27/08/2024, failing which, this Writ Petition shall stand dismissed without further reference to the Court, on 28/08/2024.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk