

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 321 OF 2015

Rohini d/o Dattatrya Waghmare,
Age: 24 years, Occu. Nil,
R/o Mahatma Phule Housing Society
Kandhar, Nanded.

... PETITIONER

VERSUS

- 1] The State of Maharashtra,
Through Secretary, Agriculture,
Animal Husbandry, Dairy Science,
Fisheries Department,
Mantralaya, Mumbai-32
Resp. Nos 1 to be served
Through Learned Govt. Pleader,
High Court of Bombay at Aurangabad.
- 2] The Bruhan Mumbai Municipal Corporation,
Through its Commissioner.
- 3] The Superintendent of Gardens, (Pr),
K G Bhosale Garden,
Dr. Babasaheb Ambedkar Marg,
Bhaykhall (E). Mumbai-27.
- 4] The Deputy Commissioner,
(Central Recruitment Authority),
The Bruhan Mumbai Municipal Corporation. **... RESPONDENTS**

WITH

WRIT PETITION NO. 337 OF 2015

Poonam d/o Parmehwar Gonare,
Age: 22 years, Occu. Nil,
R/o Sant Dnyaneshwar Nagar, Nanded.

... PETITIONER

VERSUS

- 1] The State of Maharashtra,
Through Secretary, Agriculture,
Animal Husbandry, Dairy Science,
Fisheries Department,
Mantralaya, Mumbai-32
Resp. Nos 1 to be served
Through Learned Govt. Pleader,
High Court of Bombay at Aurangabad.
- 2] The Bruhan Mumbai Municipal Corporation,
Through its Commissioner.
- 3] The Superintendent of Gardens, (Pr),
K G Bhosale Garden,
Dr. Babasaheb Ambedkar Marg,
Bhaykhall (E). Mumbai-27.
- 4] The Deputy Commissioner,
(Central Recruitment Authority),
The Bruhan Mumbai Municipal Corporation. ... **RESPONDENTS**

Mr. Suresh M. Kulkarni, Advocate for the Petitioner in both the matters.
Mr. K.J.Ghute Patil, AGP for Respondent No.1 in WP No.321 of 2015.
Mr. S.B.Pulkundwar, AGP for Respondent No.1 in WP No.337 of 2015.
Mr. A.K.Tiwari, Advocate for Respondent Nos.2 to 4.

CORAM : **S. V. GANGAPURWALA and
V.L. ACHLIYA, JJ.**
DATE : 12th January, 2015.

ORAL JUDGMENT: (Per S. V. Gangapurwala, J.)

1 Mr.Kulkarni, learned counsel seeks leave to delete
Respondent No.3. Respondent No.3 stands deleted at the risk of the
Petitioner.

2 Rule. Rule made returnable forthwith. With the consent of the learned counsel appearing for the parties, the petition is taken up for final hearing.

3 Mr.Kulkarni, learned counsel submits that the Petitioners have been told that their candidature would not be considered for further selection process on the ground that the Petitioners possess degree of B.Sc (Agri. Biotech) and in the advertisement, the qualification which is required to be possessed by the candidates states B.Sc (Agriculture). The learned counsel submits that in view of the Government Resolution dated 7th September, 2011, the degree of B.Sc (Agri. Biotech) issued by an Agricultural University is considered equivalent to the degree of B.Sc (Agriculture). The learned counsel further submits that the interviews are scheduled on 15th and 16th January, 2015 and the Petitioners would not be considered for oral interviews.

4 Mr.Tiwari, learned counsel submits that the advertisement is clear. The Respondents would consider the case of the Petitioners as per the advertisement and the Government Resolution holding the filed.

5 Government Resolution dated 7th September, 2011, is unambiguous which lays down that the degree issued by the

Agricultural University of B.Sc (Agri. Biotech) is equivalent to B.Sc (Agriculture).

6 In light of that, the Respondents shall consider the Petitioners possessing the requisite qualification as far as the degree is concerned and shall consider the candidature of the Petitioners on its own merits.

7 Accordingly, Rule is made absolute in above terms. No costs.

8 Parties to act on the authenticated copy.

[V.L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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