

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 2299 OF 2015

SHANKAR LAHANU MORE

VERSUS

STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 2306 OF 2015

SACHIN GOKUL SONAR

VERSUS

STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Jadhavar Santosh S.

AGP for Respondents-State: Mr. G. K. Thigale

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CORAM	:	S. V. GANGAPURWALA &
		V. L. ACHLIYA , JJ.
DATE	:	27th February, 2015

PER COURT :

1. Mr. Jadhavar, the learned counsel submits that the petitioners in the aforesaid petitions are selected for the post of Parichar and Constable, respectively from the sportsman category. Their certificates are referred by respondent No.3 to respondent no.2 for verification. However, the same are not being verified and the respondent No.2 is insisting for affidavit of office bearers of the Maharashtra Tug of War Association. The learned counsel submits that the said Association has replied that they did not have any record prior to 2008. The petitioners in these petitions have participated in the Championship held in the year 2004 and 2007 respectively. However, the record is available with the office of respondent No.2 itself. The petitioners could get information from the office of respondent No.2 under the Right to Information Act. The learned counsel submits that inspite of the said fact, the respondent no.2 is insisting for the affidavit from the office bearers of the Association.

The respondent No.2 can verify their own record *vis a vis* the documents produced by the petitioners.

2. The learned AGP submits that the petitioners have produced the certificates. To verify the same, affidavit of the office bearers of the Association would be relevant.

3. We have considered the submissions canvassed by the learned counsel for the respective parties.

4. If the record is not available with the Association prior to the year 2008, it would not be possible for the current office bearers to make any statement on affidavit. However, as submitted by the petitioners, the office of respondent No.2 has supplied the information regarding the Players who have acquired 1st, 2nd and 3rd. The respondent no.2 can verify from its own record, the certificates submitted by the petitioners and upon considering the same, can take decision in respect of the said certificates.

5. The respondent No. 2 shall, after considering its own record and the certificates submitted by the petitioner so also the information submitted under the Right to Information Act, decide and verify the said certificates produced by the petitioners, expeditiously and preferably within two months.

6. Writ petitions accordingly disposed of. No costs.

(V. L. ACHLIYA, J.)

(S. V. GANGAPURWALA, J.)

JPC