

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

WRIT PETITION NO.5272 OF 2015

**MAULI BHUJANGRAO GAIKWAD
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr.Santosh S. Jadhavar
AGP for Respondent State: Mr. K.J.Ghute Patil

**CORAM : S.S.SHINDE &
P.R.BORA,JJ.**

DATE : 8th May,2015.

PER COURT :-

1) Mr. Jadhavar, the learned counsel submits that the petitioner is selected for the post of Conductor (Junior) from the sportsman category. Petitioner's certificate is referred by respondent No.3 to respondent no.2 for verification. However, the same is 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 petitioner in this petition has participated in the Championship held in the year 2002. However, the record is available with the office of respondent

No.2 itself. The petitioner could get information from the office of respondent No.2 under the Right to Information Act. The learned counsel submits that in spite 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 petitioner..

2) The learned AGP submits that the petitioner has produced the certificate. 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 rank. The respondent

no.2 can verify from its own record, the certificate submitted by the petitioner and upon considering the same, can take decision in respect of the said certificate.

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

6) Writ petition is accordingly disposed of. No costs.

(P.R.BORA)
JUDGE

(S.S.SHINDE)
JUDGE

bdv/