

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 5179 OF 2014  
WITH  
CIVIL APPLICATION NO. 3659 OF 2015

SANTOSH SHESHERAO MUSALE AND ANOTHER  
VERSUS  
THE MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY  
LTD. AND ANOTHER

.....  
Advocate for petitioners : Mr. Amit A. Mukhedkar  
Advocate for respondent Nos. 1 and 2 : Mr. A. S. Bajaj  
.....

**CORAM : S. V. GANGAPURWALA AND  
V. K. JADHAV, JJ.**

**DATED : 30<sup>th</sup> JULY, 2015**

**P.C. :-**

1. The learned counsel for the petitioners states that the petitioners were selected for the post of Sub-Station Assistant, however, subsequently, their names are deleted on the ground that they do not possess the necessary apprenticeship certificate. According to the learned counsel, the petitioners possess the National Apprenticeship certificate in trade of Auto Electrician. The same is equivalent to Electrician and Wireman apprenticeship certificate. The Principal of the ITI college has also issued certificate to the extent that the same is equivalent to the apprenticeship certificate of Wireman and Technician. According to the learned counsel, the respondents have appointed many such persons, however, the petitioners are only discriminated. The petitioners possess necessary ITI qualification.

2. Mr. Bajaj, the learned counsel submits that by mistake, two persons named by the petitioners were appointed. Even, action is taken by the respondents for withdrawal of the benefit given to them and accordingly the benefit is withdrawn. According to the learned counsel, the advertisement did not state that any equivalent apprenticeship certificate is also permissible.

3. We have considered the submissions. We have gone through the advertisement, so also the National Apprenticeship certificate. The petitioners have national apprenticeship certificate in the trade of Auto Electrician and whereas, as per the clause in the advertisement, the National apprenticeship certificate required is of Wireman/Electrician. The advertisement also nowhere states that any equivalent apprenticeship certificate is also permissible.

4. It is also submitted that by mistake, two persons were considered. However, the benefit given to them is also withdrawn.

5. In light of the above, the case of the petitioners cannot be considered. The writ petition is disposed of. No costs. In view of disposal of writ petition, the civil application does not survive and the same is also disposed of.

**( V. K. JADHAV, J.)**

**( S. V. GANGAPURWALA, J. )**