

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

**WRIT PETITION NO. 6707 OF 2014**

Savita Narayan Pardeshi .. Petitioner

**Versus**

The State of Maharashtra and others .. Respondents

Shri V. B. Wagh, Advocate for the Petitioner.

Shri D. B. Bhange, A.G.P. for Respondent Nos. 1 and 2.

Shri S. T. Shelke, Advocate for the Respondent No. 3.

Shri A. G. Ambetkar, Advocate for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND  
V. L. ACHLIYA, JJ.**

**DATE : 03RD MARCH, 2015.**

**PER COURT :**

. Mr. Wagh, the learned counsel for the petitioner submits that, the respondent No. 4 initially was shown to have been selected from open category. Subsequently, the respondent No. 4 is shown to have been selected from V. J. - A category. According to the learned counsel, petitioner's name was included in the select list of V.J.-A category, because of inclusion of the name of the respondent No. 4 in the select list of V.J.-A category, the petitioner is not given appointment order. The learned counsel submits that, when the respondent No. 4 has been considered from open category, the respondent No. 4 could not have been placed in the select list of V.J.-A category.

2. Mr. Shelke, the learned counsel for the respondent No. 3 submits that, the last person appointed from V.J.-A category has secured 140 marks and the last person in the select list from the open category has secured 155.88 marks. The respondent No. 4 has secured 142.88 marks, as such, could not have been given appointment from open category and her name is required to be included in the select list of V.J.-A category.

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

4. It is not a matter of dispute that, the petitioner had applied from V.J.-A category. The respondent No. 4 also applied from V.J.-A category. The respondent No. 4 has secured 142.88 marks and the last person in the select list from open category has secured 155.88 marks. Naturally, the respondent No. 4 could not have been considered from open category. It would have been different aspect, if the respondent No. 4 would have secured more marks than the last candidate from the open category. However, the same is not the fact. The petitioner is placed in the wait list.

5. Considering the above, no case for interference is made out. The writ petition is disposed of. No costs.

**[ V. L. ACHLIYA, J. ]**

**[ S. V. GANGAPURWALA, J. ]**