

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

WRIT PETITION NO. 7363 OF 2015

Dr. Shankar Bahgwan Ambhore .. Petitioner

Versus

The State of Maharashtra and Others .. Respondents

Shri Amol N. Kakade, Advocate for the Petitioner.

Shri S. G. Sangle, A. G. P. for the Respondent / State

Shri S. G. Chapalgaonkar, Advocate for the Respondent No. 3

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

DATE : 21ST JULY, 2015.

PER COURT :

1. Mr. Kakade, the learned counsel for the petitioner states that, the petitioner has applied for the post of Registrar pursuant to the advertisement issued by the Respondent - University. According to the learned counsel, call letters were issued to the candidates which only laid down conditions of interview and power presentation. It no where states that written test would be conducted. Thereafter, on 10th June, 2015, another letter was issued in which condition of written test was included. The learned counsel submit that, the advertisement nor the call letter prescribed the candidate to undergo written test. After the

call letters are issued the Selection Committee could not have changed the methodology of selection process. The learned counsel submits that, for the post of Registrar even written test is not contemplated under any Rules. The learned counsel further submits that, even reasonable time is not given for the candidates to prepare for the same. According to the learned counsel the said act is erroneous and does not stand to any reason.

2. Mr. Chapalgaonkar, the learned counsel for the University states that, to have more transparency in the selection process written test is included. The Selection Committee can prescribe the procedure to be followed for selection of candidates in view of Section 79 of the Maharashtra Universities Act, 1994. According to the learned counsel, the Selection Committee has decided to hold the written test for which 60 marks are given and 20 marks each for power presentation and interview are prescribed. Same treatment is given to all the candidates.

3. We have considered the submissions.

4. The advertisement no where prescribes the methodology to be adopted for selecting the candidate for the post of Registrar. The advertisement only lays down the eligibility criteria. The Selection Committee has laid down the said

methodology of selection by prescribing 60 marks for written test 20 marks for power presentation and 20 marks for interview. Certainly, the same would eradicate arbitrariness in the selection process and the same would be more transparent.

5. We would have considered the submissions of Mr. Kakade the learned counsel had, the advertisement prescribed the particular modality of selection process. The advertisement is silent about it. It would have been appropriate if, the University would have prescribed the procedure to be followed in the advertisement in absence of any rules in that regard.

6. Be that as it may, the selection procedure adopted by the Selection Committee cannot be said to be prejudicial to any candidate as now more than almost one and half months time is made available to the candidates after getting the knowledge of the syllabus to appear in the written test.

7. Considering the above, writ petition stands disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]