

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.6504 OF 2013

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.P.V.Barde, advocate for the petitioner.
Mr.B.S.Deshmukh, advocate for the Respondents.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.**
Date : 02.02.2015.

PER COURT :

1. Heard.
2. Mr.Barde, learned counsel submits that the petitioner belongs to Kamati caste which is included in VJ-3-C. The petitioner had filled in online form for the post of Assistant Junior Sheet Metal. In the application form by mistake, the petitioner had mentioned the category as NT-3-D. However, had annexed all the documents including the caste certificate as belonging to Kamati caste which is included in VJ-3-C. According to the learned counsel, the Respondent has also forwarded the said caste certificate to the Committee for validation.
3. Mr.Deshmukh, learned counsel submits that the

Respondents would go as per the category stated in the application, the petitioner can not take advantage of his own wrong. Subsequently, the petitioner is not entitled to change the category.

4. The learned counsel further submits that pursuant to the directions of this Court dated 12.8.2014, one post of NT-A category is kept open.

5. It is neither the case of the petitioner nor the case of Respondents that the petitioner is claiming appointment in NT-A category. As such there was no propriety in keeping the said post vacant pursuant to the order of this Court dated 3.10.2013. The learned counsel for the Respondents and the petitioner submit that the said reservation is interchangeable. The petitioner requires to be considered as a candidate from VJ-3-C category and in case the post which is kept vacant is interchangeable as contended, the petitioner shall be considered for the post as per the merit expeditiously within four (4) weeks i.e. if the petitioner has secured more marks than any other candidate in the select list for the said post.

6. The Writ Petition is accordingly disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..02.02.2015.
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