

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

**CIVIL APPLICATION NO. 1972 OF 2015
IN
REVIEW APPLICATION STAMP NO. 33364 OF 2014
WITH
REVIEW APPLICATION STAMP NO. 33364 OF 2014
IN
WRIT PETITION NO. 9678 OF 2013**

Deepak Bhanudas Jahao

.. Applicant

Versus

The State of Maharashtra and others

.. Respondents

Ms. Rashmi P. Gour, Advocate for the Applicant.

Shri G. K. Thigle, Addl.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 11TH FEBRUARY, 2015.

PER COURT :

. Ms. Gour, the learned counsel for the review applicant submits that, this Court while disposing of Writ Petition No. 9678 of 2013 did not consider the submissions made in Civil Application No. 2097 of 2014 by which a plea was raised that the petitioner has secured 34.5% marks and the same is required to be rounded off to 35% as per law. The same goes to the root of the matter and the persons who had secured 35% of marks were considered for appointment. According to the learned counsel, the Maharashtra Administrative Tribunal at Bombay has considered the said aspect and benefit has been given of

rounding off.

2. We have considered the submissions canvassed by the learned counsel for the review applicant.

3. While disposing of the writ petition, it has been observed that, the petitioners were assailing the selection process conducted pursuant to the advertisement issued in the year 2008. The writ petitions were filed in the year 2013. It has been observed in the order sought to be reviewed that the fresh selection process was conducted by the State in the year 2012 by issuing fresh advertisement for the remaining posts and it is after fresh selection process was conducted in the year 2012 and completed, present writ petitions are filed.

4. One of the ground for dismissing the writ petition was the same.

5. It would be too late in the day in the year 2013 to consider the grievance of the petitioner. In the light of that, review application along with delay condonation application are rejected. No costs.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]