

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8595 OF 2015

Shamkant Bhausahab Katore Petitioner
vs
1 The State of Maharashtra and anr. Respondents

Mr. S.P. Thorat for the petitioner.
Mr. C. P. Yadav, AGP for respondents 1 and 2/State.

**CORAM: ANOOP V. MOHTA AND
A. A. SAYED, JJ.**

DATE : August 26, 2015

ORDER:

Rule, returnable forthwith. Heard finally by consent of parties.

2 We are inclined to dispose of the present Petition as the Petitioner's prayer to direct Respondents 1 and 2 to accept the application form to appear for the State Service (Main) Examination of 2015 which is already scheduled to 12, 13 and 14 September 2015, as admittedly such application form was not filed/submitted by the Petitioner on 13.08.2015 which was the last date of

submitting such form. Admittedly, the Petitioner has submitted the application form on 14.08.2015 i.e. beyond the prescribed date by the Respondents. Whatever the justification of non-receiving the communication by SMS, we are not inclined to accept the same in a matter where the Respondents as admittedly published the dates in advance which was known to the person concerned. The submission of non-receipt of SMS, in the circumstances and considering the fact of declaration of result on website in advance by the Respondents, we see no case is made out to grant the prayer so made.

3 The writ petition is dismissed. Rule is discharged. No costs.

(A. A. SAYED, J.)

(ANOOP V. MOHTA, J.)