

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.524 of 2015
with Civil Application No.539 of 2015

(Roshan Sunil Anandikar .vs. Mah. State Electricity Distribution Co., Akola)

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Mr.S.S.Ghate, Adv. for the petitioner.

CORAM : B.P.DHARMADHIKARI &
 S.B.SHUKRE, JJ.

DATE : 20.3.2015.

Heard.

Submission is – the petitioner had Certificate of putting in apprenticeship with MAHAGENCO which, before trifurcation of the Maharashtra State Electricity Board, was part and parcel of the other two entities namely Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) and the Administration Board. It is further stated that, in addition, the petitioner also submitted experience Certificate issued by the Government Electrical Contractor M/s. Marathe Govt. Electrical Contractor, dt.31.12.2013, which reveals experience of the petitioner from 1.1.2011 to 31.12.2013. Our attention has been invited to the advertisement, particularly i'ts clause (9) to show that, in the situation, without giving opportunity to the petitioner to explain, his candidature should not have been rejected.

Perusal of the advertisement shows that

qualifications and experience as on 25.3.2014 were expressly made relevant. The petitioner has, while mentioning his educational qualification, pointed out his apprenticeship with the Board and MSEDCL. However, the documents furnished by him in support thereof reveal apprenticeship with CSTPS.

The petitioner, therefore, needed to show that he had experience as Wireman, Electrician or in any electrical sector of one year before 25.3.2014. He could not submit that Certificate before 13.5.2014.

Along with the Civil Application No.539 of 2015, the petitioner has produced letter dt.16.2.2015 written to him by the respondents. In that letter, it is mentioned that, when application of the petitioner was scrutinized on 13.5.2014, said Certificate issued by the private electrical Contractor was not on record and it has been supplied on 20th September, 2014.

Thus, it is obvious that application filed by the petitioner was not complete before 25.3.2014 or even on the date of its scrutiny.

Reliance upon clause (g) of the advertisement to claim an opportunity is, therefore, misconceived. The opportunity can be given only to explain inconsistency in the application and the documents supplied.

We, therefore, find no case made out. The petition is rejected. Consequently, Civil Application No.539 of 2015 is also disposed of. No costs.

JUDGE

JUDGE

**jaiswal*