

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3022 OF 2014

Sau.Pallavi Surendrasing Solanke

-vs-

Union of India and others

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

Court's or Judge's Orders.

Mr.O.Y.Kashid, counsel for the petitioner.
Mr.Rohid Deo, ASGI for the respondent No.1.
Mr.R.Joshi, counsel for the respondent Nos.2 and 3.

CORAM : SMT. VASANTI A. NAIK &
A.M.BADAR, JJ.

DATE : 17.04.2015.

Heard.

By this petition, the petitioner, challenges the order/communication issued by the respondent-Corporation on 21/11/2013 cancelling the selection of the petitioner for allotment of petrol pump in Nandura Wadi, District Buldhana.

According to the petitioner, though there was a stipulation in the advertisement that it was necessary for a selected candidate to submit the caste validity certificate within a period of ninety days if his selection was from the reserved categories, the petitioner could not tender the caste validity certificate within a period of ninety days. It is stated that the respondent-Corporation could have relaxed the condition as subsequently the caste validity certificate is issued in favour of the petitioner.

It is submitted on behalf of the respondent-Corporation that the issue involved in this case was also

involved in Writ Petition Nos.6977 of 2009, 4441 of 2011 and 11901 of 2013 and this Court has, by the orders passed in the said writ petitions, held that the Corporation could not relax the condition mentioned in the advertisement about furnishing of the caste validity certificate by the claimants seeking allotment from the reserved categories. It is stated that the view of the High Court in Writ Petition No.6977 of 2009 has been upheld by the Hon'ble Supreme Court.

Since the issue stands answered against the petitioner, the petition is liable to be dismissed. On a reading of the aforesaid judgments annexed to the affidavit-in-reply filed on behalf of the respondent-Corporation, we find that there is no merit in the submission made on behalf of the petitioner and the petitioner is not entitled to the relief sought.

Hence, for the reasons recorded in the orders in Writ Petition Nos.6977 of 2009, 4441 of 2011 and 11901 of 2013, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE