

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Writ Petition No.1447/2015

**(Ku. Megha d/o Manoharrao Dhawade .vs. The State of Maharashtra 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. G.R. Sadar, Advocate for Petitioner.
Ms. P.D. Rane, AGP for Respondents 1 to 3.

CORAM : B.R. Gavai & Indira K. Jain, JJ.

DATED : June 26, 2015.

The petitioner has approached this Court contending therein that though the order dated 17.04.2013 has been passed by the Education Officer (Secondary) in pursuance to the order dated 04.03.2013 passed by this Court in Writ Petition No. 5995/2012, the same has been passed without giving an opportunity of hearing to the petitioner.

The petitioner claims his appointment against a post reserved for project affected persons.

The Full Bench of this Court in the case of **Rajendra Pandurang Pagare .vs. State of Maharashtra** reported in **2009(4) Mh.L.J. 961** has taken a view that while filling in the post reserved for project affected persons, the post has to be advertised and all eligible candidates are entitled to participate in the selection process and only the meritorious candidate is entitled to be selected.

The perusal of the advertisement would reveal that the post is not reserved for project affected person

but a preference is to be given to the persons who are coming under the social or physically challenged persons or who are project affected persons.

The perusal of the impugned order would reveal that the petitioner was not found meritorious in the selection process and the employer had appointed a person who belongs to a category of physically challenged person.

We do not find that the case is made out for interference. Rejected.

JUDGE

JUDGE

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