

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

Civil Application (CAO) No.884 of 2015 in MCA St. No.6538 of 2015
in W.P.No.2992 of 2014 (D)

*(The Secretary, Distt. Selection Committee and CEO, Z.P., Amravati and anr. vs. Ku.Pratibha
d/o. Harishchandra Rathod and anr.)*

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

Court's or Judge's Orders

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

DATE : 6.5.2015.

Heard.

In Misc. Civil Application St. No.6538 of 2015, prayer is to review the order dt.19.1.2015 and as there is delay of 41 days in filing said review application, Civil Application No.884 of 2015 is filed seeking condonation of delay.

The ground for review is the statement made by the learned Counsel for the petitioner before this Court on 19.1.2015. On that date, while disposing of Writ Petition No.2992 of 2014, this Court has found that the petitioner namely Ku.Pratibha d/o. Harishchandra Rathod had secured highest marks insofar as VJ(A) category candidates are concerned. This Court has, therefore, observed that the post vertically reserved for socially backward class should have been given to her and reservation should have been fastened on the subject in which the petitioner was eligible.

The Chief Executive Officer has, on 7.3.2015, forwarded a communication to the learned Counsel who

represented Zilla Parishad in the Writ Petition and pointed out that one of the candidates may be required to be displaced. He has also mentioned names of those three persons.

However, the point is that - two posts were reserved in the advertisement for VJ(A) category and it is not in dispute that, out of these two posts, one is reserved for VJ(A) woman.

Thus, on merits, the petitioner was found entitled to appointment. The reasons given by the Chief Executive Officer are, therefore, not relevant.

We are, therefore, not inclined to issue notice on the prayer for condonation of delay. Hence, Civil Application No.884 of 2015 and Misc. Civil Application St. No.6538 of 2015 are rejected.

JUDGE

JUDGE

**jaiswal*